

GENERAL BY-LAWS
of the
TOWN OF SHREWSBURY

Together with
TOWN MEETING ACT
TOWN MANAGER ACT

AND
ACTS OF THE LEGISLATURE ACCEPTED
BY THE TOWN
BY-LAWS

The term "by-law" goes back to that period of early English History during the Danish invasion. When the Danes acquired possession of an area, the township therein was often called a "by", and as the Danes established laws of their own, they were called by-laws or town laws.

FOREWORD

General By-laws and Legislative Acts which have been voted by the town are contained herein. Also included in this publication are the two acts passed by the legislature in 1953 and accepted by the town which radically altered the structure of town government. These acts, chapter 553 and 559, provide for a town manager and a representative town meeting form of government.

Zoning By-Laws and Subdivision Regulations are published separately. Building Codes, Job Classification and Personnel By-laws are likewise contained in other publications. Also omitted from this compilation are regulations issued by the various town boards and departments. For example, the Board of Health has issued regulations relative to food handling and inspection; the Selectmen have adopted and published traffic rules and orders.

These by-laws have been approved by the Attorney General and published or posted in accordance with statutory requirements. The first edition was published in March, 1943; the second in January, 1963; the third in December, 1973. This fourth edition was published in February, 1990.

AMENDMENTS THROUGH FEBRUARY 11, 2002

ATTEST:

**Ann M. Dagle
Town Clerk**

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ARTICLE 1

REPRESENTATIVE TOWN GOVERNMENT

SECTION 1. For the purpose of electing town meeting members in accordance with the provisions of Chapter 553 of the Acts of 1953, providing for the establishment in the Town of Shrewsbury of representative town government by limited town meetings, the Town shall be divided into six or more precincts.

SECTION 2. The percentage of the residents which shall constitute the representative town meeting shall be 0.76 per cent as nearly as may be and each precinct shall be represented in the town meeting by that number of elected representatives which shall bear the same proportion to the total elected membership as the residents in the precinct bears to the total number of residents in the town as nearly as may be, and the total elected membership shall not exceed two hundred and forty.

SECTION 3. Subject to the foregoing provision the number of elected representatives for each precinct shall be that whole number divisible by three which is nearest 0.76 per cent of the number of residents in that precinct at the time of the last preceding town census. If 0.76 per cent is halfway between the whole numbers divisible by three, the higher whole number shall be used. In December of 1960, and every four years thereafter, the Town Clerk shall certify to the Selectmen the number of residents at the time of the past town census and the Selectmen shall thereupon determine and certify to the Town Clerk the number of representatives for each precinct.

SECTION 4. Whenever by reason of the foregoing determination the number of town meeting members in any precinct is increased, the number to be elected in said precinct in the year when said increase becomes effective shall be increased by said increased number; the first third in the order of votes received, of the additional members so elected, shall serve three years, the second third, in such order, shall serve two years, and the remaining third in such order shall serve one year. In case of a tie vote affecting the division into thirds the other representative members elected from the district shall by ballot determine the same. Whenever by reason of the foregoing determination, the number of town meeting members in any precinct is decreased, the number to be elected in said precinct in the year when said decrease becomes effective shall be decreased by said number. In

each of the next succeeding two years the number elected from that precinct shall not be changed but in the first succeeding year the elected representative or representatives to the number of one third of the decreased receiving the lowest number of votes shall serve for two years and in the next year the elected representative or representatives to the number of one third of the decreased receiving the lowest number of votes shall serve one year, thus equalizing the number to be elected thereafter in each year in said precinct.

Adopted	Dec. 7, 1953	Sec.2,3;	Amended Feb. 7, 1977
Sec.2,3,4;	Amended Dec. 3, 1956	Sec.1;	Amended Jan. 11, 1978
Sec.2,3;	Amended Dec. 27,1960	Sec.2,3;	Amended Jan. 19, 1981
Sec.3;	Amended Oct. 23, 1961	Sec.2,3;	Amended Feb. 3, 1986
Sec.2;	Amended Mar. 24,1969	Sec.2,3;	Amended Feb. 2, 1993
Sec.2;	Amended Dec. 18, 1972	Sec.2,3;	Amended Feb. 25,1997
		Sec.2,3	Amended Jan. 29,2001
		Sec.2,3	Amended Feb. 11,2002

ARTICLE 2

TOWN MEETINGS AND THE PROCEDURE THEREAT

SECTION 1. The annual meeting of the registered voters of the several precincts for the election of town officers and for voting upon any questions to be submitted to all the registered voters of the town shall be held on the first Monday of May in each year at such time and place or places as the Selectmen shall direct in the warrant for such meetings. All other articles in the warrant for the annual meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held on the third Monday of May at such time and place as the Selectmen may determine, but not earlier than 7:00 o'clock P.M. The terms of office of all elected incumbents which are to expire at the Annual Town Election in 1974 shall continue until the election and qualification of their successors at the May, 1974, town election in accordance with section 107 of Chapter 41, of the General Laws.

SECTION 2. Notice of every town meeting shall be given by posting an attested copy of the warrant at the Municipal Office Building in Shrewsbury and at the Post Office located at 180 Boston Turnpike (Route 9) within the time prescribed in Chapter 39 of the General Laws. If by reason of fire or otherwise it shall be impossible or impracticable to post such copies, then the same shall be posted at the site of the Municipal Office Building or at the Post Office in Shrewsbury Center. Notices shall be sent by the Town Clerk to town meeting members of the time and place at which the representative town meetings are to be held, such notices to be sent by mail at least seven days before the meeting.

SECTION 3. Special Town Meetings shall be called on any day not earlier than 7:00 o'clock P.M., except that on Saturday they may be called not earlier than two o'clock P.M.

SECTION 4. At any representative town meeting no person other than a representative town meeting member shall be admitted to that section of the hall designated by the Moderator as reserved for such members, provided, however, that the Moderator may allow other persons to occupy said section. All meetings shall be open to the public and to the press. A record shall be kept by the Town Clerk, or the acting clerk, of the members present at the meeting, and this record, together with the record of the business transacted at the meeting, shall be a public record and be available to the public.

SECTION 5. Printed copies of the Warrant shall be made available to the voters at the annual town meetings.

SECTION 6. Articles for the warrant shall be acted upon in the order in which they appear on the warrant. An article may be acted upon before or after its regular order by vote of a majority of the town meeting members present and voting thereon. No article in the warrant shall at any representative town meeting finally be disposed of by a vote to lay upon the table, indefinitely to postpone, or to take no action thereunder. The Moderator may, however, upon the advice of the Town Counsel, declare any article to be illegal and decline to put it to the meeting for action.

SECTION 7. No motion to adjourn any town meeting, except a motion to adjourn to a stated time, shall be in order until every article in the warrant has been considered and acted upon or otherwise disposed of.

SECTION 8. No person shall speak more than twice on any question, except to answer an inquiry or give information requested without first obtaining leave of the meeting, and then not until others who have not spoken upon the question and desire to do so have had an opportunity to speak.

SECTION 9. All committees shall be appointed by the Moderator unless otherwise specially directed by the meeting and all committees so appointed shall report at the time stated in the motion. If a committee does not report at the time directed or not later than the next Annual Town Meeting, it shall be considered discharged. The Moderator shall not be a member of any committee appointed by him.

SECTION 10. All votes on motions shall be taken in the first instance by a voice vote; if the Moderator is in doubt, he may call for a standing vote; or if the vote as declared by the Moderator is immediately questioned by seven of the Town Meeting members present, the vote may be taken by ballot vote provided that two-thirds (2/3) of the Town Meeting members present and voting thereon vote that a secret ballot be used. A vote by secret ballot may be taken in the first instance by motion to that effect duly made and adopted by two-thirds (2/3) of the Town Meeting members present and voting thereon.

SECTION 11. The Moderator may decline to put motions obviously frivolous, or which may be declared illegal by the Town Counsel. Any motion shall be presented in writing if the Moderator requests. The Moderator shall be governed in his rulings by the provisions of this article. In matters not provided for, herein or otherwise provided by law, the procedure shall be as outlined in Cushing's Manual, so far as applicable.

SECTION 12. Ballot voting shall be under the direction of the Town Clerk, if present, or otherwise the Acting Clerk, and officially designated tellers appointed by him or the Acting Clerk.

Adopted	Dec. 11, 1920	Sec.10;	Amended Jan. 26,1976
Sec.1;	Amended Feb. 11,1946	Sec. 2;	Amended Jan. 11,1978
Sec.1;	Amended Apr. 4, 1955	Sec. 1;	Amended May 17,1999
Sec.1 thru 12;	Amended Feb 16, 1959	Sec. 2;	Amended May 17,1999
Sec. 1	Amended May 21, 1973	Sec. 3;	Amended May 17,1999

ARTICLE 3

FINANCE COMMITTEE

SECTION 1. There shall be a Finance Committee consisting of nine voters of the Town, no one of whom shall be the holder of any other elective or appointive town office or position other than Town Meeting Member. The members of this committee shall be sworn to the faithful performance of their duties.

SECTION 2. The Finance Committee shall be appointed by the Moderator. The Moderator elected at the annual town meeting in 1955 shall appoint five members of said Committee, three of whom shall be appointed for a term of three years, one for a term of two years, and one for a term of one year. The Moderator shall, not later than June 30th of each year, appoint three members of said Committee to serve for a term of three years.

The term of office of said members shall commence on July 1st of the year of their appointment. Not later than July 31st of each fiscal year, the Committee shall meet and choose its Chairman, Vice Chairman and Clerk for such fiscal year. In the event of any vacancy in the membership of the Committee, the Moderator, within thirty (30) days following the creation of such vacancy shall appoint a successor to serve for the remainder of the term.

SECTION 3. The Finance Committee shall consider matters relating to the appropriation, the borrowing and the expenditure of money by the Town, its indebtedness, the methods of administration of its various offices and departments, property valuation and assessments, and other municipal affairs and may make recommendations to the Town or to any town board, officer or committee relative to such matters.

SECTION 4. The Finance Committee shall duly consider the annual budget prepared by the Town Manager and may confer with said town boards, officers, and committees and may hold hearings if they deem it advisable. The Committee shall thereupon approve or disapprove the amount, in whole or in part, of the appropriation so requested. The Committee shall furnish to the Selectmen on or before April 1st of each year, a report of the matters so considered by it, with recommendations or suggestions relative thereto, and the same shall be printed and ready for distribution at the annual Town Meeting. Report of the Finance Committee as published in the Town Report shall contain a statement of the doings of the Committee during the year, with such recommendations and suggestions as it may deem advisable on any matter pertaining to the welfare of the Town.

SECTION 5. Articles in town warrants involving the appropriation of money shall be considered by the Finance Committee, who shall approve or disapprove the same in whole or in part, and shall make report to the voters with such recommendations or suggestions as the Finance Committee shall deem advisable.

Adopted Dec. 11, 1920

Sec.4; Amended Feb. 3, 1943

Sec.1&2; Amended Apr. 4, 1955

Sec.2; Amended May 21, 1973

Sec.1 thru 5; Amended May 27, 1975

ARTICLE 4

TOWN BOARDS AND DEPARTMENTS

4-A TOWN BOARDS AND OFFICERS IN GENERAL

SECTION 1. No contract for labor, or for labor and materials, involving the creation of an obligation against the Town exceeding the sum of Fifteen Hundred Dollars, shall be binding upon the Town, unless it is in writing and is signed by at least a majority of the entire board or committee in charge of the work on the part of the Town. Every such contract shall be accompanied by a suitable bond, with sureties, for the faithful performance of the same, or by deposit of money or security in lieu of such bond.

SECTION 2. No board or officer shall make any contract in behalf of the Town, the execution of which shall necessarily extend beyond one year from the date thereof, unless special permission so to do has been given by vote of the Town.

SECTION 3. All town boards, officers and committees shall file with the Board of Selectmen their annual reports on or before January tenth of each year.

SECTION 4. All town officers, boards and committees shall present their annual financial reports to the Town Auditors for audit before the same are delivered to the Board of Selectmen.

Adopted Apr. 12, 1921

4-B BOARD OF HEALTH

The Board of Health shall annually make a report to be printed in the Annual Town Report, showing the statistics of the health and sanitary condition of the Town, with recommendations for its improvement, together with statement of its work and that of its appointees, during the previous year; such report shall also contain a statement of the amounts expended by the Board during the fiscal year.

Adopted Apr. 12, 1921

4-C TOWN ACCOUNTANT

SECTION 1. Voted "to instruct the Selectmen to petition the Director of Accounts for the installation of an accounting system in accordance with Section 35, Chapter 44 of the General Laws."

SECTION 2. Voted "that the Selectmen be authorized to appoint a Town Accountant in accordance with the provisions of Section 55, Chapter 41 of the General Laws and thereupon that the office of Auditor be abolished and all appropriations hitherto made for the Auditor be transferred to the account of the Town Accountant."

Sec.1 Adopted; Dec. 18, 1942

Sec.2 Adopted; Feb. 8, 1943

4-D TOWN COUNSEL

SECTION 1. The Board of Selectmen shall, annually on or before the first day of July, and whenever a vacancy shall exist, choose some competent lawyer to act as Town Counsel, who shall be paid such remuneration as they may determine.

SECTION 2. The term of office of said Counsel shall begin on the first day of July of each year and shall continue until the election and acceptance of his successor.

SECTION 3. The Town Counsel shall draft all bonds, deeds, leases, obligations, conveyances, and other legal instruments, and do every professional act which may be required by him by vote of the Town or any Board of town officers. Also when required by said boards or any committee of the Town, he shall furnish a written opinion on any legal question that may be submitted to him in regard to any matter which concerns the Board or committee requesting the opinion, and he shall at all times furnish legal advice to any officer of the Town who may require his opinion upon any subject concerning the duties incumbent upon such officer by virtue of his office.

SECTION 3A. The Town Counsel, with the advice and consent of the selectmen, shall have the power and authority to begin and prosecute any action at law or in equity deemed necessary for the protection of the interests of the town.

SECTION 4. He shall have charge of all suits brought by the Town, and shall appear before any court in the Commonwealth in defense of all actions or suits brought against the Town or its officers in their official capacity.

SECTION 5. Immediately upon being notified by the Chief of Police or Superintendent of Streets, or upon the receipt of notice from any other source, of injury to person or property under circumstances which may give rise to a claim for damages against the Town, the Town Counsel shall make a careful and complete investigation of all the facts relative thereto, and in case of injury to a person, he shall, if it seems practicable, immediately cause a physical examination of the injured person to be made by the Town Physician and such further examination as he sees fit. Within ten days after the claim for damages for any cause has been received by the Town Counsel he shall make a written report to the Selectmen of the nature and circumstances of the claim, together with such recommendations regarding the same as he deems advisable.

SECTION 6. The Town Counsel shall prosecute in the local district court all cases for violation of the by-laws of the Town.

SECTION 7. He shall annually make a written report to the Selectmen, to be printed in the Annual Town Report, concerning the professional services rendered by him during the preceding year; said report shall contain a statement of each case which has been settled, tried, or otherwise disposed of by him during the year; and also a statement of each case which is still pending and the status of the same, together with such other information and recommendations as he may deem advisable.

Adopted Apr. 12, 1921
Sec.3A; Amended Feb. 12, 1945

Sec.1 & 2; Amended Sept.30, 1974

4-E MUNICIPAL LIGHT DEPARTMENT

SECTION 1. The department of electric wires and street lights shall be in charge of an Inspector who shall be the Manager of the Municipal Light Department and who shall be appointed by the Municipal Light Board on or before March 1st of each year. He shall hold office until another is appointed in his place. The Light Board may at any time remove him for cause. He shall keep a record of the business of his department, and submit to the Selectmen in time for publication in the Annual Town Report a yearly report of such business.

SECTION 2. He shall have supervision of all electric and other wires erected in, upon, over or under any street or building, and of all poles supporting wires or lamps and street-lights, and shall require all persons and corporations owning or operating wires to conform to the conditions and requirements of Chapter 166 of the Acts of the Legislature of the year 1895 or acts in amendment thereto.

SECTION 3. He shall by virtue of his office be the Superintendent of Fire Alarm, Telegraph and Police Signal Systems, and all other electric wire systems now or hereafter owned by the Town.

SECTION 4. He may, with the approval of the Light Board, appoint and remove such assistants as may be necessary for the work to be done, permitted by the appropriation.

SECTION 5. Any person or corporation operating electric or other wires within the town shall, upon request of the Inspector, furnish him with such information as may be necessary to the faithful and effectual discharge of his duties under this By-Law.

SECTION 6. The Inspector shall have access at all reasonable times to all wires, appliances, and apparatus in the interior of a public building or on private premises, which are intended for carrying an electric light or power current, and no person shall arrange, affix, or change any such wires or apparatus without giving the Inspector reasonable opportunity to inspect such wires and their arrangement and fixtures before the same are covered or enclosed; and no person shall place such wires in any building in process of construction or alteration until all gas, steam, sewer, water, and furnace pipes have been placed in proper position, without the permission of the Inspector. No person shall connect such wires in the interior of buildings and on private premises with an outside circuit which crosses or runs along, over or under any street or way of the town, without written permission therefor having been first obtained from the Inspector.

SECTION 7. No person or corporation shall attach any wire or line for the transmission of electricity for any purpose, except the lines and wires of the Town of Shrewsbury, to any post, except on his own premises or upon other lands with the consent of the owner thereof, nor insert the same into any underground conduit, except with the consent of the owner, and by the approval of the Municipal Light Board.

Adopted Apr. 12, 1921

4-F TOWN TREASURER AND COLLECTOR

SECTION 1. The Selectmen shall appoint a Town Treasurer who shall also act as Collector of Taxes. Appointment shall be for a three-year period, or until a successor is appointed and qualifies, except that the first appointment shall be for the period beginning with the annual election of officers in 1960, and ending on the first Monday in March, 1962. Thereafter appointments shall be made on or before the first Monday in March in each third year.

SECTION 2. The treasurer shall be a person especially fitted by education or training and by previous experience in finance or accounting.

SECTION 3. The town treasurer may be removed by the Selectmen for cause, after such notice and hearing as they may deem advisable.

SECTION 4. In the event of a vacancy in the office of the town treasurer the Selectmen shall appoint a successor to hold such office until the expiration of the term for which the original appointment was made.

SECTION 5. The Collector of Taxes shall collect, under the title of Town Collector, all accounts due the town, with all the powers and duties provided in General Laws, Chapter 41, Section 38A, which statute is hereby accepted and made a part of this bylaw. The Town Collector shall have the further right to call for all such accounts and examine the records of any officer or department deemed necessary for the full performance of the duties of the office.

SECTION 6. The Town Collector shall pay all fees received by him by virtue of his office into the Town Treasury.

Originally Adopted Feb. 14, 1944
Sec.1-5; Adopted Nov. 9, 1959

Sec.6; Adopted Jun. 22, 1971
Sec.1-5; Amended Jan. 8, 1990

4-G FIRE DEPARTMENT

The regular hours of duty of the members of the Fire Department of the Town of Shrewsbury, other than the hours during which such members may be summoned and kept on duty because of conflagration or other personnel requirements of the Department, shall be a yearly average of 48 hours per week. If any member of the Fire Department shall be required to be on duty for any period in excess of his regular hours of duty established pursuant to this by-law, he shall be given time off equal to such periods of overtime duty, or, if time off cannot be given by reason of personnel shortage or other cause, he shall be paid for such period of overtime duty at one and one-half times the hourly rate of his regular compensation for his average weekly hours of regular duty, or at the call fire fighter rate, whichever is higher.

Adopted; Jan. 9, 1956
Amended; Apr. 2, 1956
Amended; Mar. 21, 1966

Amended; Mar. 17, 1969
Amended; Mar. 15, 1971

Voted Mar. 5, 1973 to accept M.G.L. Ch. 48, Sec. 58D (42 hour/Week)

4-H HISTORIC DISTRICT COMMISSION

SECTION 1. There is hereby established an Historic District Commission under the provisions of the "Historic Districts Act", General Laws, Chapter 40C, consisting of seven members appointed by the Board of Selectmen, including one member, where possible, from two nominees submitted by the Shrewsbury Historical Society or the Society for the Preservation of New England Antiquities; one member, where possible, from 2 nominees of the Massachusetts state chapter of the American Institute of Architects; and one member, where possible, from two nominees of the Board of Realtors covering Shrewsbury. One or more shall, where possible, be a resident of an Historic District established in Shrewsbury pursuant to the Historic Districts Acts. When the Commission is first established, two members shall be appointed for a term of one year; two members shall be appointed for a term of two years, and three shall be appointed in like manner for three years, and their successors shall be appointed in like manner for terms of three years.

SECTION 2. There is hereby established an Historic District under the provisions of the Historic Districts Acts, General Laws, Chapter 40C. Said District is shown on a plan entitled, "Proposed Historic District, Shrewsbury, Massachusetts - Scale: 1"=100', September, 1972, Shrewsbury Engineering Department." In addition the following property shall be included within a Historic District: Main Street - Assessors Tax Plate 23, Parcel 137.

SECTION 3. The Historic District Commission shall have all the powers and duties of Historic District Commissions as provided by the Historic Districts Act, General Laws, Chapter 40C, and of subsequent amendments thereto.

SECTION 4. The Historic District Commission shall adopt rules and regulations for the conduct of its business not inconsistent with the provisions of the Historic Districts Act, General Laws, Chapter 40C, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money gifts and expend same for such purposes.

SECTION 5. In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

SECTION 6. The authority of the Historic District Commission shall not extend to the review of any of the following categories of buildings, structures, or exterior architectural features in the Historic District established by Paragraph 2, above:

- (a) Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify;
- (b) Terraces, walks, driveways, sidewalks and similar structures, or any one or more of them, provided that any such structure is substantially at grade level;
- (c) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances, or any one or more of them;
- (d) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is

displayed in connection with each residence and if illuminated is illuminated only indirectly; and one sign in connection with the nonresidential use of each building or structure which is not more than twelve square feet in area, consisting of letters painted on wood without symbol or trademark and if illuminated is illuminated only indirectly; or either of them.

- (e) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

SECTION 7. Unanimously voted that the Town delegate the powers and duties of an Historical Commission to the Historic District Commission.

	Adopted	Oct. 2, 1972
Sec.2;	Amended	May 27, 1975
Sec.7;	Adopted	June 14, 1976

4-I POLICE DEPARTMENT

** The regular hours of duty of the members of the Police Department of the Town of Shrewsbury shall not exceed a yearly average of 37-1/3 hours per week except in the case of public emergency or of any unusual demand for the services of the Police in town. The hours of duty and the time and manner of excusing members of the Police Department shall be determined by the Chief of Police, and a member so excused shall, except as above provided, be exempt from duty and from attendance at a police station or other place, but otherwise shall be subject to all laws, rules and regulations relating to members of the Police Department of the Town of Shrewsbury. In the event that a member is required to work in excess of 40 hours in any one week compensatory time off shall be granted to him as soon thereafter as possible.

Any regular police officer in the service of the Town of Shrewsbury who shall be required to be on duty for any period in excess of his regular hours of duty as from time to time established, shall be given time off equal to such period of overtime duty, or, if time off cannot be given by reason of personnel shortage or other cause, he shall be paid for such period of overtime duty at * one and one-half times the hourly rate of his regular compensation for his average weekly hours of regular duty, as authorized by the provisions of General Laws, Chapter 147, Section 17c as amended by Acts of 1956, Chapter 349.

1st Paragraph	Adopted Apr. 2, 1956
2nd Paragraph	Adopted Oct. 15, 1956
*	Amended Mar. 15, 1971
**	Amended May 21, 1973

4-J WATER DEPARTMENT

ASSESSMENTS

Special assessments may be levied to meet the whole or part of the cost incurred of laying pipes in public and private ways for the conveyance or distribution of water to the inhabitants of the town of Shrewsbury. An owner of land which receives benefit from the laying of water pipes in public or private ways upon which his land abuts shall pay such proportionate part of the cost, not already assessed, of extending such water supply to his land as may be determined by the Board of Selectmen. The amount to be charged against each parcel of land receiving such benefit shall include the cost of pipes and other material and of the labor in laying them and other expenses incidental thereto and shall be ascertained, assessed and certified by the Board of Selectmen of the Town of Shrewsbury.

Assessment for the cost of providing and laying water pipes in public and private ways shall be made upon the several parcels of land receiving benefit from the laying of such pipes by a fixed uniform rate based upon the estimated average cost of all the water pipes therein and the laying thereof, according to the frontage of such land on any way on which a water pipe is laid.

Whenever the Town votes to lay water pipes in public and private ways, and to make assessments for the construction of such improvement, the Board of Selectmen shall forthwith cause to be recorded in the Worcester District Registry of Deeds a statement of the vote adopted by the Town specifying the ways in which such water pipes are to be laid, and the estimated assessment per foot of frontage of land abutting thereon. No assessment shall be levied in excess of the benefit to the land assessed from the laying of the water pipes for which the assessment is levied or in excess of the estimate as recorded in the Registry of Deeds. The Board of Selectmen may extend the time of payment of the assessment in accordance with the provisions of General Laws, Chapter 80, and if the order for assessment is upon land not built upon, shall extend the time of payment of the assessment and interest thereon at the rate of 4% per annum until said land is built upon or for a fixed time, and the assessment and interest shall be paid within three months after such land is built upon or at the expiration of such fixed period.

Adopted Apr. 2, 1956

4-K PARK COMMISSION

GIFTS AND EXPENDITURES

The Park Commission is hereby authorized to accept gifts and grants from the Federal Government, from charitable corporations, from a private corporation, or from an individual. Such sums as may, from time to time, be received, shall be deposited with the Town Treasurer and held as a separate account.

The Park Commission may, with the approval of the Selectmen, expend funds from the said account for any purpose it is otherwise authorized to perform without further appropriation.

Adopted Mar. 20, 1972

4-L COUNCIL ON AGING

There shall be a council on aging consisting of not less than three nor more than seven members who shall be registered voters of the Town and who shall be appointed by the Town Manager for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in coordination with programs of the Commission on Aging established under Section 73 of Chapter 6 of the General Laws of Massachusetts.

Adopted Oct. 2, 1972

ARTICLE 5

DISPOSAL OF OBSOLETE EQUIPMENT, ETC.

The Town Manager shall have the authority to sell or otherwise dispose of old, worn-out or obsolete equipment, disused material and junk in all departments and activities of the Town under his supervision and for all departments and activities not under his supervision upon request signed by the head of the department.

Adopted Apr. 4, 1955

ARTICLE 6

CLAIMS

SECTION 1. All claims against the Town shall be referred to the Town Manager. If he deems any such claim to be of doubtful validity, excessive in amount or otherwise contrary to the interests of the Town, he shall refer it to the Selectmen.

SECTION 2. The Selectmen shall investigate the facts of any claim referred to them by the Town Manager and determine whether such claim should be allowed or denied and the amount of payment, if any, which should be made.

SECTION 3. All litigation upon claims shall be under the supervision of the Town Manager who shall, with the approval of the Selectmen, have authority to defend or compromise any litigation to which the Town is a party.

SECTION 4. Any by-law or vote contrary to the foregoing articles is hereby repealed and rescinded.

Adopted Nov. 18, 1957

ARTICLE 7

CONTRACT PROCEDURE

All purchases and contracts for supplies, materials, equipment or contractual services, other than professional services, the value of which is in excess of twenty-five thousand (25,000) dollars, and all sales of personal property shall be based wherever possible, on competitive bids. Notices inviting bids shall be published at least once in a daily newspaper published in Worcester and having a general circulation in the Town and at least one week must intervene between the date of last publication and the final date for submitting bids. Specifications shall be drawn and shall be made part of all invitations to bid. All bids shall be sealed and opened in public at a time and place designated in the original advertisement. Awards shall be made to the lowest responsible bidder, and any single bid may be rejected. In the case of sales, all property shall be sold to the highest bidder. Reservation shall be made for the acceptance or rejection of all bids.

In case of actual emergency and with the consent of the Board of Selectmen any board, department, officer or agent may purchase directly any supplies, materials or equipment whose immediate procurement is essential to prevent delays in the work of the board, department, officer, or agent which may vitally affect the life, health or convenience of citizens.

Adopted	Mar. 27, 1950	Amended	May 22, 1985
Amended	Mar. 26, 1951	Amended	May 17, 1995
Amended	Sept. 16, 1957	Amended	May 22, 1998
Amended	Feb. 16, 1959	Amended	Oct. 30, 2000
Amended	Mar. 22, 1971		

ARTICLE 8

NUMBERING OF BUILDINGS

The Board of Selectmen may require the numbering of any buildings in the Town on or near the line of public or private ways; such numbering shall be made by the Assessors subject to the approval of the Board of Selectmen.

Adopted Apr. 12, 1921

ARTICLE 8A

RECYCLING

Material set out for collection by the Town shall be separated into recyclable materials and rubbish. Recyclable material shall be defined as glass bottles and jars, bi-metal food cans, plastic containers, aluminum cans, newspapers and recyclable papers.

Adopted May 25, 1994

ARTICLE 9

VEHICLES/TRAVELED WAYS

9-A STREETS, ROADS AND HIGHWAYS

SECTION 1. No person having charge of a vehicle in any street shall neglect or refuse to stop the same or to place the same as directed by a police officer or constable.

SECTION 2. No person having under his care or control any vehicle, shall permit the same, or the animal or animals attached thereto, if any, to stand on or across any public highway, street or sidewalk, in such a manner as to obstruct the travel over the same, for an unnecessary length of time. No person shall stop with any vehicle in any public street so near another vehicle as to obstruct public travel; and no person shall stop with any vehicle upon or across any crossing in any street or highway of the Town, nor in front of any street railway signal post on any such street or highway.

SECTION 3. A person driving or controlling a vehicle in turning to the left into another street shall pass to the right of and beyond the center of the intersecting street before turning.

SECTION 4. No person shall ride, drive or cause to be driven any horse or vehicle over that part of any street which is being mended, repaired or paved, if a watchman or signal is placed prohibiting the same.

SECTION 5. The driver of any vehicle proceeding on the track in front of a street car shall, as soon as possible, turn therefrom on signal by the motorman or conductor of the car.

SECTION 6. No person shall erect, set up or maintain any fence, portico, platform or doorstep extending into or on any sidewalk, street or highway; and no person shall hoist any article or material from any street or sidewalk into any building or on to any premises adjoining the same so that said article or material shall overhang any part of the street or sidewalk, without first obtaining a permit from the Chief of Police. The Chief of Police may revoke any such permit at any time if in his opinion the apparatus used or the manner of operation is unsafe.

SECTION 7. No person shall place or cause to be placed in any street, way or public place in the town any obstruction, or any ashes, papers, tin cans, garbage, carrion, filth, offal, fuel, building materials, or any kind of rubbish except in such place and in such manner as shall be directed by the selectmen.

SECTION 8. No person by himself or his agents or servants shall distribute or place in or upon any street, square, park, common, lane, alley, way or other public place any placard, hand-bill, flyer, poster, advertisement or paper of any description.

No person shall place an obstruction on any sidewalk or highway of the town without a permit from the selectmen or road commissioners, and shall remove such obstruction immediately after receiving notice from a police officer, constable or selectmen of the town.

SECTION 9. No person shall pasture any animal or animals, either with or without a keeper, in any street, road or highway in the Town, and no person shall suffer horses or grazing beasts or swine to run at large in the Town. No person shall tie horses or other animals to any shade tree

bordering on the public highway. No person shall wilfully or negligently cause swine, cows or horses to travel on the sidewalks of this town.

SECTION 10. No person shall throw stones, snow-balls, sticks or other missiles, or kick football, or play at any game in which a ball is used, or fly kites or balloons, or shoot with an airgun, bow and arrow, sling shot or similar device in or across any of the public ways of the Town.

SECTION 11. No person shall wilfully or negligently obstruct the free passage of other persons on any sidewalk, street, road or highway, nor shall any person loiter upon any sidewalk or in any street, road or highway of the Town. No person shall use any handcart or handbarrow, or any cart or carriage, except invalids' or children's carriages or express wagons, on any sidewalk in the Town; and no person shall suffer any horse or horses or any neat cattle, sheep, goats or swine to stray upon any such sidewalk, or to be upon such sidewalk, so as to in any way obstruct, or endanger the free passage of persons thereon. No person shall ride or cause to be propelled a bicycle or motorcycle, or any other motor propelled vehicle, upon any sidewalk. No person shall throw or place any slippery substance upon any sidewalk or street crossing.

SECTION 12. No person who is the owner, or the tenant of any building adjoining any street, road or highway, in the Town, shall allow snow or ice to remain on any part of the roof thereof, where the fall of such snow or ice may endanger persons passing in such street, road or highway.

SECTION 13. No person shall coast or slide in, upon or across any street, sidewalk, road or highway, in the Town, except in such place and under such regulations as may be designated and established by the Road Commissioners, or the Selectmen, when they have charge of said streets, sidewalks, roads or highways.

SECTION 14. No person shall knowingly suffer or permit any water or other liquid substance to run or be discharged from any building owned by him or under his control, upon or across any curbed or finished sidewalk.

SECTION 15. No person shall fire or discharge any gun, pistol or firearms in or across any of the streets or public places within the Town; but this section shall not apply to the use of such weapons in the lawful defense of one's person, family or property or in performance of any duty required or authorized by law, nor upon such days as may be designated by the Board of Selectmen.

SECTION 16. No person shall throw or place or cause to be thrown or placed upon any street or highway of the Town any nails, spikes, screws, glass, tin cans or other sharp substance or articles.

SECTION 17. No person shall suffer a platform, or grate of any entrance, or opening to a cellar or basement, in any street or sidewalk, to rise above the surface on any street or sidewalk, and every such entrance or opening shall at all times be covered by a suitable platform or grate, and, in case of a coal hole, by a suitable covering.

SECTION 18. Whoever posts, affixes or in any way attaches any poster, handbill, notice, advertisement or placard, to or upon any trees, poles, walls, fences, building or structure not his own,

without the permission of the owners or proprietors of such wall, fence or structure shall forfeit and pay for each offense, a fine of not more than twenty dollars.

Adopted Apr. 12, 1921

9-B OBSTRUCTING VEHICLES

No person shall place, or cause to be placed, any vehicle which shall interfere with the removing or plowing of snow or the removing of ice from any public way of the Town and the Superintendent of Streets or other officer in charge of public ways for the time being for the purpose of removing or plowing snow or removing ice from any public way is hereby authorized and empowered to remove or cause to be removed to some convenient place, including in such term a public garage, any vehicle interfering with such work and the owner of such vehicle shall be liable for the cost of such removal and the storage charges, if any, resulting therefrom.

Adopted Mar. 24, 1958

9-C UNREGISTERED MOTOR VEHICLES

1. Definitions.

For the purposes of this by-law, the following words and phrases shall have the meanings respectively ascribed to them by this section:

PERSON - any person, firm, partnership, association, corporation, company or organization of any kind.

PROPERTY - Any parcel of real property within the Town which is not a public street or highway including all contiguous parcels owned in whole or in part by the same person.

MOTOR VEHICLE - A machine propelled by power other than human or animal power, designed to travel along the ground by the use of wheels, treads, runners or slides and transport persons or property or pull machinery, and shall include, without limitation, automobile, truck, trailer, motorcycle, recreational vehicles and motor homes.

2. Disabled, dismantled, inoperative and/or unregistered motor vehicles on private property.

A. The storing, parking or leaving of more than two dismantled, junked, disabled, inoperative or unregistered motor vehicles or major part thereof upon private property shall be declared a public nuisance and is prohibited. This bylaw shall not apply to farm vehicles, motor vehicles necessary for business use, vehicles stored within a building or to vehicles stored, parked or displayed on property duly licensed in accordance with M.G.L., Chapter 140, Section 57 through 69; except that no such vehicle may be parked or stored on vacant unimproved, private property.

B. Notice of existence of violation and notice to remove.

Whenever it comes to the attention of the Chief of Police or his designee that any nuisance, as defined in Subsection A of this section, exists in the Town of Shrewsbury, a notice in writing shall be sent by certified mail to the owner of the land where the nuisance exists notifying them of the existence of the nuisance and ordering its removal within seven (7) days of receipt of said notice. Notice of existence of any nuisance may also be perfected by service in hand by the appropriate process server to the owner of the land.

3. Any person violating any of the provisions of this bylaw shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding fifty dollars (\$50.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Adopted March 23, 1964

Amended May 25, 1994

ARTICLE 10

HANDICAPPED PARKING

- A. Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall be required to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by section two of Chapter 90 according to the following formula:

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; more than five thousand, one-half of one percent of such spaces but not less than thirty.

- B. Parking spaces designated as reserved under the provision of paragraph A shall be identified by the use of above grade signs with white against blue background; shall be as near as possible to a building entrance or walkway; and shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a person with a disability.
- C. The leaving of unauthorized vehicles within parking spaces designated for use by disabled veterans or handicapped persons as authorized by paragraphs A and B or in such manner as to obstruct a curb ramp designed for use by handicapped persons as a means of egress to a street or public way shall be prohibited.
- D. The penalty for violation of this bylaw shall be \$100 and the vehicle may be removed according to the provisions of Section 120 D of Chapter 266 of the General Laws.

Adopted May 23, 1984

Amended May 28, 1991

Amended May 23, 2001

ARTICLE 11

LICENSES AND FEES IN GENERAL

11-A LICENSING PROCEDURES

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued, by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Section One of Chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work

permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty one of chapter one hundred and forty.

Adopted October 5, 1995

11-B HAWKERS AND PEDDLERS

SECTION 1. No person shall go from place to place in this town selling or bartering, or carrying or exposing for sale or barter, any fish, fruits and vegetables, in or from any cart, wagon or other vehicle, or in any other manner without a license therefor from the town clerk; provided however, that this section shall not apply to any person who sells only fruits or vegetables raised or produced by himself or his family, or fish which is obtained by his own labor or the labor of his family.

SECTION 2. The town clerk shall have authority to grant such license to any person of good repute for morals and integrity who is, or has declared his intention to become, a citizen of the United States. Said licenses, unless sooner revoked by the town clerk shall expire one year after the granting thereof, and each person so licensed shall pay therefor a fee of five (5) dollars.

SECTION 3. Every person licensed under the provision of the preceding section as a hawker and peddler of fruits and vegetables, or fish, shall record his name and residence with the town clerk.

SECTION 4. Every vehicle or other receptacle used by a licensee as a conveyance for articles offered or exposed for sale by him shall have attached thereto on each side a number plate, to be furnished by the town clerk with his license, bearing the number of such license.

SECTION 5. No person shall be registered or assigned a badge or number plate under the provisions of these by-laws until he presents a certificate from the sealer of weights and measures stating that all weighing and measuring devices intended to be used by such person have been duly inspected and sealed as required by law. The use of, or possession by such person with intent to use, any false or unsealed weighing or measuring devices shall be sufficient cause for the revocation of his license or the cancellation of his registration.

SECTION 6. Any license granted under these by-laws or any by-law amendatory or additional thereto may be revoked by the town clerk.

SECTION 7. Whoever violates any provisions of these by-laws shall be punished by a fine not exceeding twenty (20) dollars for each offense.

Adopted July 27, 1918

11-C LICENSING AMUSEMENT DEVICES

The annual fee for the licensing and renewal thereof of automatic amusement devices shall be sixty (60) dollars.

Adopted Feb. 13, 1984

11-D SOLICITOR/CANVASSER

SECTION 1 - LICENSE REQUIRED. It shall be unlawful for any solicitor or canvasser as defined in this bylaw to engage in such business within the Town of Shrewsbury without first obtaining a license therefor in compliance with the provisions of this bylaw. The provisions of this bylaw shall not apply to any person engaged in the pursuit of soliciting for charitable, benevolent, fraternal, religious or political activities, nor to any person exempted under Chapter 101 of the General Laws, or to any person duly licensed under Chapter 101 of the General Laws, or to any person exempted by any other General Law, nor shall this bylaw be construed to prevent route salesmen or other persons having established customers to whom they make periodic deliveries from calling upon such customers or from making calls upon prospective customers to solicit an order for future periodic route deliveries.

SECTION 2 - DEFINITION. A solicitor or canvasser is defined as any person who, for himself, or for another person, firm or corporation, travels by foot, automobile or any other type of conveyance from place to place, from house to house, or from street to street, taking or attempting to lease or to take orders for retail sale of goods, wares, merchandise, or services, including, without limiting, the selling, distributing, exposing for sale or soliciting orders for magazines, books, periodicals or other articles of a commercial nature, the contracting of all home improvements, or for services to be performed in the future whether or not such individual has, carries or exposes for retail sale a sample of the subject of such sale or whether he is collecting advance payment on such retail sales.

SECTION 3 - APPLICATION. Applicants for a license shall file with the Chief of Police, on a form issued by the Police Department, a written application signed under the penalties of perjury, containing the following information:

- (a) Name of applicant.
- (b) Address of applicant (local and permanent home address).
- (c) Applicant's height, weight, eye and hair color.
- (d) Applicant's Social Security Number.
- (e) The length of time for which the right to do business is desired.
- (f) A brief description of the nature of the business and the goods to be sold.
- (g) The name and home office address of the applicant's employer.
If self-employed, it shall so state.
- (h) A photograph of the applicant which picture shall be submitted by the applicant and be 2" x 2" showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (i) If operating a motor vehicle: the year, make, model, motor number, registration number, State of Registration, vehicle's owner and address.

At the time of filing the application, each applicant shall pay a fee of \$2.00.

SECTION 4 - INVESTIGATION AND ISSUANCE.

1. Upon receipt of the application, the Chief of Police shall investigate the applicant's reputation as to morals and integrity.

2. After an investigation of the applicant's morals and integrity, the Chief of Police shall endorse on such application his approval or disapproval. If disapproved, the applicant shall have the right of appeal to the Board of Selectmen.

3. Such license when issued shall contain the signature of the Chief of Police or the Board of Selectmen and shall show the name, address, and photograph of said licensee, the date of issuance and the length of time the same shall be operative, as well as the license number. The Police Department shall keep a record of all licenses issued for a period of six (6) years. Solicitors and canvassers when engaged in the business of soliciting or canvassing are required to display an identifying badge issued by the Police Department, by wearing said badge on an outer garment. Each licensee is required to possess an individual license.

SECTION 5 - DUTY OF POLICE TO ENFORCE - TRANSFER. The Police officers of the Town of Shrewsbury shall enforce this bylaw. No license shall be transferred.

SECTION 6 - REVOCATION OF LICENSE. The Chief of Police is hereby vested with jurisdiction over the revoking of licenses.

SECTION 7 - EXPIRATION OF LICENSE. Each license issued under the provisions of this bylaw shall continue in force from the date of its issue until the thirty-first day of December following, unless sooner revoked.

SECTION 8 - RENEWAL OF LICENSE. A license issued under the provisions of this bylaw may be renewed by the Chief of Police. An applicant requesting a renewal of a license must apply in person for such license renewal, and provide such material as required by the Chief of Police.

SECTION 9 - MISREPRESENTATION.

1. No solicitor or canvasser, licensed or exempted from license, may misrepresent, in any manner, the buyer's right to cancel as stipulated by Chapters 93, 93A and 255D of the General Laws.

2. No solicitor or canvasser, licensed or exempted from license, may use any plan, scheme or ruse which misrepresents the true status or mission of the person making the call in order to gain admission to a prospective buyer's home, office, or other establishment with the purpose of making a sale of consumer goods or services.

SECTION 10 - PENALTY. Any person violating any provision of this bylaw shall, upon conviction thereof, be punished by a fine not to exceed fifty (\$50.00) dollars for each and every offense.

Adopted May 21, 1973

11-E FEES FOR STORAGE OF VOLATILE FLUIDS

Be it hereby ordered that fees to be charged for licenses for storage and sale of volatile inflammable fluids under the provision of General Laws (ter. Ed.) Chapter 148, Section 13, shall be as follows:

0	-	999	gallons	\$ 10.00
1,000	-	1,999	gallons	20.00
2,000	-	4,999	gallons	40.00
5,000	-	29,999	gallons	60.00
30,000	-	99,999	gallons	80.00
100,000	-	199,999	gallons	75.00
200,000	-	or over	gallons	125.00

Adopted Mar. 24, 1958
Amended Nov. 9, 1959
Amended Sept. 30, 1985

11-F UNDERGROUND STORAGE TANKS

No underground storage tank shall be removed, relocated or tested for tightness unless a permit for such work has been obtained from the Fire Department.

The fee for such permit shall be \$50.00 for tanks of 1,000 gallons or more capacity, and \$25.00 for tanks of less than 1,000 gallons capacity. The fee for permit to test tanks for tightness shall be \$15.00. The fine for violating this bylaw shall be \$100.00.

Adopted May 17, 1989

11-G LICENSING GARAGES

No person shall operate a public or storage garage as defined in the Zoning Bylaw without a license issued by the Board of Selectmen. Any such license issued hereunder shall be subject to such conditions and restrictions as may be prescribed by the Board of Selectmen.

Adopted May 22, 1978

11-H LICENSING OF DEALERS IN JUNK

The Selectmen may, in accordance with the provisions of General Laws, Chapter 140, Section 54, provide for the licensing of suitable persons to be collectors of, dealers in, or keepers of shops for the purchase, sale or barter of junk, old metals, or second-hand articles, providing that no person shall be issued a license for such purpose within any area of the town designated as a residence district in the Zoning By-Law or within 500 feet of any residence, in any other area. The Board of Selectmen may make rules, regulations and restrictions relative to such business which shall be expressed in all licenses. Any such license may be revoked by the Selectmen and shall be subject to the provisions of General Laws, Chapter 140, Sections 202 to 205 inclusive.

Adopted Apr. 4, 1955

11-I NEWSPAPER DISPENSING DEVICES PERMIT AND APPLICATION

Applications may be made to and on forms approved by the Chief of Police for rental permits allowing the installation of newspaper dispensing devices on public property along the streets and thoroughfares within the town.

The Chief of Police shall approve or deny the application. Denial shall only be for reasons of public safety, stating the reasons for such denial or grant said permit subject to the following terms:

- A. The term "newspaper dispensing device" as used in this section, shall mean a mechanical, coin-operated container constructed of metal or other material of substantially equivalent strength and durability, not more than fifty inches in height and not more than twenty-six inches in length and width.
- B. Newspaper dispensing devices shall be placed at such locations applied for and determined by the Chief of Police not to cause an undue safety hazard, interfere with the right of public to the proper use of the streets and thoroughfares or cause a nuisance as described by Mass. General Laws, Chapter 139, Section 1. provided further, however, that no newspaper dispensing device shall be placed, installed, used or maintained:
 - 1. within ten (10) feet of any fire hydrant or other emergency facility;
 - 2. within ten (10) feet of any intersecting driveway, alley or street;
 - 3. within three (3) feet of any marked crosswalk;
 - 4. at any location where the width of the clear space in any direction for the passage way of pedestrians is reduced to less than four (4) feet;
 - 5. within two hundred and fifty (250) feet of another newspaper dispensing device containing the same newspaper or news periodical, except that the Chief of Police may permit two such dispensing devices at an intersection where such placement would not impair traffic or otherwise create a hazardous condition; and
 - 6. in any location where three (3) newspaper dispensing devices are already located.
- C. The rental permits shall be granted upon the following conditions:
 - 1. the permittee shall pay a rental fee of ten (\$10) dollars per year or any part thereof, for each location where a newspaper dispensing device is installed;
 - 2. the permittee, upon the removal of a newspaper dispensing device, shall restore the property of the town in the same condition as when the device was initially installed, ordinary wear and tear excepted;
 - 3. the permittee shall maintain the device in good working order and in a safe and clean condition, keep the immediate area surrounding such device free from litter and debris;

4. the permittee shall not use a newspaper dispensing device for advertising signs or publicity purposes other than that dealing with the display, sale or purchase of the newspaper sold thereunder;
 5. the permittee shall save and hold the town harmless from any and all liability for any reason whatsoever occasioned upon the installation and use of each newspaper dispensing device and shall furnish, at permittee's expense, such public liability insurance as will protect permittee and the town from all claims for damage to property or bodily injury, including death, which may arise from the operation under the permit or in connection therewith. Such policy shall name the town as an additional insured and shall be in the amount of not less than one hundred thousand (\$100,000) dollars combined single limit for injury to persons and/or damage property and shall provide that the insurance coverage shall not be cancelled or reduced by the insurance carrier without thirty (30) days prior written notice to the town. A certificate of such insurance shall be provided to the town and maintained before and during the installation of such devices;
 6. rental permits shall be for a term of one (1) year and shall not be assignable.
- D. A person aggrieved by a decision of the Chief of Police in refusing to grant or revoking a rental permit shall have a right to appeal to the Board of Selectmen. Such appeal shall be taken by filing a notice of appeal, including a statement of the grounds for the appeal with the Board of Selectmen within ten (10) days after notice of the decision by the Chief of Police has been given. The Board of Selectmen shall set the time and place for hearing such appeal and notice of such time and place shall be given. The Selectmen shall have the power to reverse, affirm or modify the decision of the Chief of Police and any decision made by the selectmen shall be final.

Adopted May 28, 1991

ARTICLE 12

EXCAVATIONS/PUBLIC DUMPS

12-A EXCAVATIONS IN PUBLIC WAYS

No person shall make any excavation in any public way or remove any earth or gravel therefrom or place any pavement thereon without first having obtained the written permit therefor from the Board of Selectmen, which permit may contain such lawful restrictions and limitations as the Board of Selectmen may deem necessary for the protection, convenience and safety of the public. Every person receiving such permit may be required to execute a written agreement to indemnify and save harmless the Town against all damage or cost on account of the existence of such obstruction or excavation or injury to any person, or occasioned thereby, together with a bond or security for the performance of such agreement.

Adopted Mar. 24, 1958

12-B EXCAVATIONS, WELLS, CELLAR HOLES

No person shall allow or permit the continued existence on his land of an excavation for a cellar hole of or for a building which has been estroyed or demolished or the construction of which has been abandoned if the operations thereunder are discontinued for a period of more than 90 days, or any other excavation, well or hole which has become a menace or dangerous to the health and safety of the inhabitants of the town or other persons by reason of the accumulation of water therein or otherwise, unless suitable barriers are erected around said excavation or other provision made to protect the public.

Adopted Apr. 4, 1955

Amended Apr. 9, 1956

12-C PUBLIC DUMPS

SECTION A. No person shall put or suffer to accumulate on his premises, any refuse, animal or vegetable matter, rubbish or filth, whereby any offensive or noxious stench or effluvia shall be created and the health or comfort of the citizens of the town be injuriously affected, or shall throw or deposit in streams or brooks, or any part thereof not laid out as common sewers or drains, any such substances, or shall allow the contents of any house vault or the refuse of any manufacturing process or slaughtering process to drain into such streams.

SECTION B. No person shall throw into, deposit or leave in or upon any street, court, square, lane, alley, public enclosure, pond or body of water or vacant lot, where it would be offensive, or injurious to health, or a probable source of menace from fire, any dead animal, fish or offal, or oil, grease, waste, paper, rubbish or other inflammable substance, or any metal junk or other objectionable refuse, except by written notice to the Board of Selectmen with a satisfactory description of the location of the Public Dump so designated.

SECTION C. All substances enumerated in Section A and B which have been placed or allowed to accumulate in any house, warehouse or other building, cellar, yard, unaccepted street, alleyway or other area injurious to the health or safety of the citizens of the town shall be removed by

the owner or occupant of such building, cellar, yard, unaccepted street, alleyway or other area within twenty-four hours as set forth in a written notice to that effect.

SECTION D. No person shall bring into town any damaged grain, rice, coffee, fruit, potatoes, or other vegetables or any tainted or damaged meat or fish without a written permit. Any person violating Sections A, B, C or D shall be punished by a fine not exceeding twenty dollars for each offense.

Adopted Feb. 14, 1927

ARTICLE 13

FIREWORKS

No person, firm or corporation shall sell, use or authorize the sale or use of fireworks or firecrackers within the Town, except that persons having a permit issued under authority of Chapter 148, Section 10A of the General Laws may purchase fireworks and display them in accordance with the provisions of said Chapter 148, of the General Laws and in compliance with the rules and regulations of the Department of Public Safety.

Adopted Feb. 13, 1939

ARTICLE 14

DOG CONTROL LAW

SECTION 1. DEFINITION OF TERMS

As used in this bylaw, unless the context otherwise indicates

- (a) "Dog" shall mean all animals of canine species, both male and female.
- (b) "Owner" shall mean any person or persons, firm, association, or corporation owning, keeping or harboring a dog, as herein defined.
- (c) "Public nuisance" - any dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person with the knowledge and expressed permission of such other person, except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this bylaw.
 - (2) if such a dog is being used as a so-called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.

SECTION 2. PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Shrewsbury at any time.

SECTION 3. IMPOUNDING

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of this bylaw and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 4. NOTICE TO OWNER AND REDEMPTION

If such dog so impounded has upon it the name and address of the owner thereof or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner and if the owner is not known then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the dog officer of his expenses for maintaining said dog while impounded. In any event, the dog officer shall not charge more than the per diem rate established by the Board of Selectmen for a reimbursement of said expenses for each twenty-four (24) hour period or any part thereof that the dog is held by him, plus five (\$5.00) dollars as a fee for the initial handling of such dog. Provided,

however, if the dog is not licensed that before release to any person is made by the dog officer, a license as required by the Town of Shrewsbury shall be secured.

SECTION 5. DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days and the owner is unknown, shall be disposed of as provided by Section 151A, Chapter 140 of the General Laws. If the dog owner is known, the identified owner or keeper shall be liable for all costs for impounding incurred by the town or the owner of the impounding facility.

SECTION 5A. POOPER SCOOPER

The owner or keeper of a dog shall cause to be removed any defecation made by said dog, at the time made, from any street, public way, public place or property of another.

SECTION 6. PENALTY

Any owner found in violation of the provisions of this bylaw shall be punished by a fine for each offense in accordance with the following schedule.

First Offense	\$15.00
Second Offense	25.00
Third and Succeeding Offenses	40.00

Owners of dogs who receive five (5) or more notices of violation of this bylaw shall be subject to a hearing before the Board of Selectmen under the provisions of Chapter 140, Section 157 of the General Laws.

SECTION 6A. SURCHARGE

Each dog owner shall license his or her dog by March 1 of each year. Owners licensing their dogs after this date shall pay a \$10 surcharge in addition to the license. The fees for a dog license shall be \$7.00 (Spayed/Neutered) and \$10.00 (Non Spayed/Non Neutered). The fees for a kennel license shall be \$30.00 (4 dogs or less), \$75.00 (up to 9 dogs), and \$100.00 (10 dogs or more).

SECTION 7. DISPOSITION OF FUNDS

Any funds collected pursuant to the provisions of this bylaw by the dog officer shall be accounted for and paid over to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

Adopted	Jun.22, 1971	Sec. 4,	Amended Sept. 28, 1981
Sec. 5, Amended	May21,1973	Sec. 6A,	Adopted Mar.29, 1982
Sec. 6, Amended	Feb. 4,1974	Sec. 5,6,6A	Amended May 18, 1988
Sec. 4, Amended	May22,1978	Sec. 5A	Adopted May 22, 1996
		Sec. 6A	Amended May 23, 2001

ARTICLE 15

PUBLIC BEHAVIOR

No person shall behave himself in a disorderly manner, or use any indecent, profane language in any street or way or near any dwelling house or other building.

Adopted Dec. 7, 1970

ARTICLE 16

DRINKING ALCOHOLIC BEVERAGES IN PROHIBITED PUBLIC PLACES

SECTION 1. No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General Laws nor shall have in his possession any open containers or containers whose seal has been broken and recapped of such beverages, while on, in or upon any public way or sidewalk, or upon any way to which the public has a right of access, or any place to which the members of the public have access as invitees or licensees, park or playground, or private land or place, without the consent of the owner or person in control thereof. The burden of proving such consent shall be on the defendant.

SECTION 2. All alcoholic beverages being used in violation of this bylaw shall be seized and safely held until final adjudication of the charge against the persons so arrested or summonsed before the court.

SECTION 3. A police officer witnessing a violation of this bylaw shall have the right to arrest such person without a warrant and shall bring the person so arrested before the court within twenty-four hours, Sundays and Holidays excepted.

SECTION 4. The penalty for violation of this bylaw shall not exceed fifty (\$50.00) dollars for each offense.

Adopted May 19, 1975

ARTICLE 17

PENALTY FOR BY-LAW VIOLATION

Section 1 - Penalty for By-Law Violation

Any person violating any provision of the By-Laws of the Town of Shrewsbury, the violation of which is subject to a specific penalty, may be penalized by a non-criminal disposition as provided in Massachusetts General Laws Chapter 40, §21D. The non-criminal method of disposition may be used for violation of any rule or regulation of any municipal officer, board or department, which is subject to a specific penalty.

Without intending to limit the generality of the foregoing, it is the intention of this provision that the following articles are to be included within the scope of this section, that the specific penalties as

listed here shall apply in such cases and that in addition to the municipal personnel listed for each bylaw Article, if any, police officers shall in all cases be considered enforcing persons for the purposes of this provision; and each day on which any violation exists shall be considered to be a separate offense.

- A) Article 9C -- Unregistered Motor Vehicles
Enforcing Agent: Police Officers
Fine Schedule: \$50.00
- B) Article 11B -- Hawkers and Peddlers
Enforcing Agent: Police Officers
Fine Schedule: \$20.00
- C) Article 11D -- Solicitor/Canvasser
Enforcing Agent: Police Officers
Fine Schedule: \$100.00
- D) Article 11F -- Underground Storage Tanks
Enforcing Agent: Fire Chief
Fine Schedule: \$100.00
- E) Article 16 -- Drinking Alcoholic Beverages in Prohibited Public Places
Enforcing Agent: Police Officers
Fine Schedule: \$50.00
- F) Any violation of an order of the Board of Health relating to public health which is authorized by any Town bylaw, rule or regulation.
Enforcing Agent: Director of Public Health
Fine Schedule: \$10 - \$200

Adopted 5/15/00

ARTICLE 18

WATER USE RESTRICTIONS

Section 1 Authority

This Bylaw is adopted by the Town of Shrewsbury under its powers to protect public health and welfare and its authority to regulate water use pursuant to M.G.L. c.41, § 69B. This bylaw also implements the Town's authority under M.G.L. c.40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

Section 2 Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection.

Section 3 Definitions

Person - Shall mean any individual, corporation, trust, partnership or association, or other entity.

Agricultural Uses - Shall mean activities associated with agriculture as defined in M.G.L. c. 128, § 1A.

Commercial Uses - Shall mean uses associated with commercial and industrial activities but not involving lawn watering.

Enforcing Persons - Shall mean any sworn member of the Police Department, Superintendent of Water and Sewer and the Foreman for Water and Sewer.

Newly Planted Lawn Areas - Shall mean lawns or specific major portions thereof, seeded or sodded in the current calendar year.

State of Water Supply Emergency - Shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21 G, § 15-17.

State of Water Supply Conservation - Shall mean a State of Water Supply Conservation declared by the Town pursuant to section 4 of this bylaw.

Water Users or Water Consumers - Shall mean all public and private users of the Town's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

Section 4 State of Water Supply Conservation The Board of Selectmen acting under the authority as Water Commissioners may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are necessary to ensure an adequate supply of water to all water consumers. Notification of

any provision, restriction, requirement, or condition imposed by the Town as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the Town, or by such other notice reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restrictions imposed under this section shall not be effective until such notification is provided. Notification shall also be simultaneously provided to DEP.

A declaration of a State of Water Conservation may include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions, or requirements shall be included in the public notice.

A. Outdoor Watering Hours

Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.

B. Odd-Even Day Outdoor Watering

Effective between May 15 and September 15, unless modified by the Commissioners, based upon the street address number and the day of the month. Outdoor watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.

C. Filling Swimming Pools Ban

Filling of swimming pools is prohibited.

D. Automatic Sprinkler Use Ban

The use of automatic sprinkler systems is prohibited.

E. Outdoor Watering Ban

Outdoor watering is prohibited.

Any water consumer who violates any provision of a State of Water Supply Conservation shall be subject to the following penalties: First offense in a calendar year - Written Warning; Second Offense in a calendar year - \$50.00 Fine; Third Offense and any Subsequent Offenses in a calendar year -\$100.00 Fine.

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen, upon determination that the water supply shortage no longer exists. Publication of the termination of a State of Water Supply Conservation shall be given in the same manner as indicated above.

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection (DEP), no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the DEP intended to bring about an end to the State of Emergency.

The State of Water Supply Emergency once issued may only be rescinded by the Department of Environmental Protection.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the Town are required to comply to abate a situation of water emergency shall be sufficient for purposes of this regulation if it is published in a newspaper of general circulation within the Town or by such other notice as is reasonably calculated to reach and inform all users of the Town water supply.

Any water consumer who violates a plan to abate a water supply emergency shall be liable to the Town of Shrewsbury as follows: First Offense - \$50.00 Fine, Second Offense - \$100.00 Fine, Third Offense and any Subsequent Offenses - \$200.00 Fine. The Board of Selectmen acting as the Water Commissioners when the Department of Environmental Protection has determined that an emergency exists during a drought, hurricane, conflagration or other disaster may restrain the use of water on public and private premises by shutting off the water at the meter or at the curb cock or by other means as the case may be.

Section 6 Exemptions

The following instances are exempted from any of the State of Water Supply Conservation restrictions.

1. Newly planted lawns as defined by lawns seeded or sodded in the previous six (6) months.
2. Agricultural use.
3. Commercial use.
4. Private Wells.

Section 7 Enforcement

The Board of Selectmen may determine that for any specified period of time the enforcement of this Article shall be made pursuant to M.G.L. c. 40, 21D which provides for non-criminal disposition of the enforcement of an ordinance or bylaw.

Adopted 11/1/99
Amended 5/15/00

ARTICLE 19

FALSE ALARM BYLAW

Section 1. Definitions

Alarm System: Any device which when activated transmits a signal to the police or fire department, or transmits a signal to a person or company, who relays information to the police or fire department, or produces an audible or visible signal to which the police or fire departments are expected to respond.

Alarm User: Any person who is the owner or person in charge of premises where an alarm system is maintained within the Town of Shrewsbury.

False Alarm The activation of an alarm which results in the police or fire departments responding where it is determined after investigation by the police department that no fire activity, criminal activity or attempted criminal activity has occurred. A false alarm does not include alarms caused by hurricanes, surges or failures in the transmission of electrical power or other conditions that are beyond the control of the user.

Section 2. Responsibility to register Alarm Systems

- A. Every alarm user shall register an alarm system by submitting to the Chief of Police his name, person who is authorized to respond to an emergency signal transmitted by an alarm system and who can open or provide access to the premises where the alarm is located.
- B. All existing alarm systems shall be registered with the Town of Shrewsbury before January 1, 2001.
- C. All alarm systems installed after the effective date of this by-law shall be registered with the Chief of Police within thirty (30) days of the date of installation.
- D. **Penalty:** Failure to comply with any Subsection of Section 2 shall be punishable by a fine of one hundred dollars (\$100) for each offense.

Section 3 Equipment Limitations

- A. **Automatic Dialer Devices Prohibited:** It shall be unlawful to install a mechanical protection device that is automatically keyed to and/or activates the telephone line(s) controlled by and/or listed to the Shrewsbury Police or Fire Department. All such devices installed before the effective date of this bylaw shall be removed before January 1, 2001.
- B. **Audible Device Time Limitation:** All newly installed alarm systems which use an audible bell, horn, or siren shall be equipped with an automatic shutoff device, which shall deactivate the alarm within fifteen (15) minutes. All existing alarm users with an audible bell, horn, or siren must have such deactivation systems installed by January 1, 2001.
- C. **Penalty:** Failure to comply with any Subsection of Section 3 shall be punishable by a fine of one hundred dollars (\$100) for each offense.

Section 4 False Alarms

- A. Notice: An alarm user shall be notified by the Police Department in writing of each false alarm. After the police department has recorded three (3) separate false alarms from an alarm user within a twelve month period, the Police Chief, or his or her designee, shall notify the alarm user, in writing, of such facts, including the dates and times of each alleged false alarm.
- B. Testing: All users must notify the police department in advance of any testing equipment. Failure to notify the police department in advance of testing shall constitute a false alarm and be subject to the assessment schedule contained herein.
- C. Penalties: An alarm user whose alarm system transmits or otherwise causes more than three (3) false alarms in a twelve month period shall be assessed a penalty of \$50.00 for the fourth (4th) false alarm in any twelve month period, a \$100.00 penalty for each subsequent false alarm in any twelve month period.

Section 5 Applicability

This bylaw shall be subject to the provisions of G.L.c.40 §21D for non-criminal enforcement.

Section 6 Limitation of Liability

Notwithstanding the provisions of this By-law, the Town, its departments, officers, agents, and employees shall be under no obligation whatsoever concerning the adequacy, operation or maintenance of any alarm system or of alarm monitoring facilities. No liability whatsoever is assumed for the failure of such alarm devices for monitoring facilities or for failure to respond to alarms or for any other act or omission in connection with such alarm devices. Each alarm user shall be deemed to hold and save harmless the Town, its departments, officers, agents and employees from Liability in connection with the alarm user's alarm device.

Adopted 5/15/00

APPENDIX A

Chapter 553

AN ACT TO ESTABLISH IN THE TOWN OF SHREWSBURY REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS

SECTION 1. There is hereby established in the town of Shrewsbury the form of representative town government by limited town meeting hereinafter set forth.

SECTION 2. Within thirty days after the adoption of this act there shall be created a temporary committee consisting of the selectmen and six registered voters of the town appointed by the moderator. Such committee shall study the provisions of this act and shall determine what in its opinion is a practicable percentage of the total registered voters to constitute a representative town meeting in the town of Shrewsbury and what is a practical number of precincts into which the town should be divided for the purpose of this act. Such committee shall submit its report together with recommended by-laws to the next annual town meeting or to a special town meeting called for the purpose of acting on such report and proposed by-laws.

SECTION 3. Within the limits established by this act the town of Shrewsbury shall determine by by-law the number of precincts into which the town shall be divided and the percentage of the registered voters which shall constitute the representative town meeting.

Sec. 3, Repealed by Ch 81, Acts of 1981

SECTION 4. Precincts. - Upon the adoption of the by-laws required by section three, the town of Shrewsbury shall be divided by its selectmen into precincts which shall be composed as nearly as practicable of homogenous neighborhoods. They shall be bounded whenever possible by the center line of known streets and ways or by other well-defined limits. These boundaries shall be reviewed, and if need be, wholly or partly revised, by the selectmen in December, once in five years, or in December of any year when directed by a vote of the preceding annual meeting of the town.

SECTION 5. Precinct Boundaries Publicized. - Within ten days after any establishment or revision of precincts, the selectmen shall file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time with the names and residences of the registered voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct, with the names and residences of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary stating the number and designation of the precincts.

SECTION 6. Elections. - Meetings of the registered voters of the several precincts for elections, for primaries, and for voting upon any question to be submitted to all the registered voters of the town, shall be held on the same day and at the same hour and at such place or places within the town as the selectmen shall in the warrant for such meetings direct. The provisions of chapters fifty

to fifty-six inclusive, of the General Laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

SECTION 7. Precinct Representation. - Each precinct shall be represented in the representative town meeting by elected representatives the number of which shall be the largest number divisible by three and which shall bear the same proportion to the total elected membership as the number of residents in the precinct bears to the total number of residents in the town as nearly as may be.

The number and size of precincts shall be such that the number of elected representatives shall not exceed two hundred and forty.

Amended by Ch 81, Acts of 1981

SECTION 8. Nomination. - Nominations of candidates for town meeting members to be elected under this act shall be from among the registered voters of the precinct. Nomination papers shall bear no political designation, shall be signed by not less than ten registered voters of the precinct in which the candidate resides, and shall be filed with the town clerk on the same day that nomination papers of candidates for other town offices must be filed. Any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk on or before the last day for filing nomination papers. The words "Candidate for re-election" shall be printed on the ballot opposite the names of such candidates, except those candidates who have been chosen as provided for in section eleven.

No nomination papers shall be valid in respect to any candidate unless his written acceptance is endorsed thereon or attached thereto.

SECTION 9. Election and Terms of Representative Town Meeting Members. - The Representative town meeting members, whose number shall have been determined as provided in this act, shall be elected by ballot by the registered voters in every precinct at the first annual town election following the establishment or revision of such precinct in conformity with the laws relative to elections not inconsistent with this act.

The first third, in the order of votes received, of members so elected, shall serve three years, the second third, in such order shall serve two years, and the remaining third, in such order shall serve one year from the first day of the annual town meeting. In case of a tie vote affecting the divisions into thirds, the members elected from the precinct shall by ballot determine the same.

Thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall similarly elect for the term of three years one third of the number of town meeting members to which such precinct is entitled; and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of elected town meeting members in such precinct. The terms of office of all town meeting members from every revised precinct shall cease upon the election of their successors at the first annual town election after revision.

The Town Clerk shall, after election of town meeting members, forthwith notify by mail each such member of his election.

SECTION 10. Members-At-Large. - The chairman of the Board of Selectmen, the chairman of the Finance Committee and the Town Clerk shall be members-at-large of the town meeting.

SECTION 11. Vacancies. - In the event of any vacancy in the full number of elected town meeting members from any precinct the vacancy shall be filled until the next annual town election from the list of defeated candidates for town meeting member from that precinct in the order of their recorded vote in the preceding town election. The defeated candidate having the highest number of recorded votes, and who otherwise qualifies, shall be deemed elected until all vacancies are filled. The Town Clerk shall forthwith on the occurrence of any vacancy notify such defeated candidate of his election and shall secure his written acceptance of his election. Failure to obtain such a written acceptance within ten days shall constitute a declination, and the Town Clerk shall thereupon notify whichever of the defeated candidates who are eligible and willing to serve and who received the next highest number of votes at such election until all vacancies are filled. In the event of a tie vote among such defeated candidates, and if there are fewer vacancies than such candidates whose votes are tied, the Town Clerk shall call together the town meeting members of the precinct where the vacancy occurs and they shall by majority vote of those members present, and by ballot, elect one of such defeated candidates to fill said vacancy. In the event there are no such defeated candidates, eligible and willing to serve, the Town Clerk shall call together the town meeting members of the precinct who shall elect by majority vote of those members present, and by ballot, any registered voter of the precinct to fill said vacancy. At such meetings a majority of such members shall constitute a quorum, and they shall elect from their own number a chairman and clerk. The clerk shall forthwith file with the Town Clerk a certificate of such election together with the written acceptance by the member so chosen, who shall thereupon be deemed elected and qualified as a town meeting member, subject to the provisions of those sections of this act respecting the election and qualification of elected town meeting members.

Amended by Ch 5, Acts of 1963

SECTION 12. Moderator. - A Moderator shall be elected, for a term of three years, by the registered voters of the town by ballot at every third annual town election and shall serve as the Moderator of all town meetings except as otherwise provided by law until his successor is elected and qualified.

The Moderator shall be a member of the Town meeting. Nominations for Moderator and his election shall be as in the case of other elective town officers, and any vacancy in such office may be filled by the town meeting members at a representative town meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members. The moderator shall be entitled to vote in case of a tie.

Amended by Ch 6, Acts of 1963

SECTION 13. Powers. - The articles in the warrant for every town meeting, so far as they relate to the election of the moderator, town officers, and town meeting members, and as herein provided, to referenda and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the registered voters of the town in their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section sixteen.

SECTION 14. Town Meeting. All town meetings shall be public. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote.

A majority of the town meeting members shall constitute a quorum for doing business; provided, that a less number may organize temporarily and may adjourn from time to time, but no town meeting shall adjourn over the date of an election of town meeting members.

The town clerk shall notify the town meeting members of the time and place at which the representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting to each town meeting member at his address as it appears on the list of registered voters.

Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the town meeting members elected under the provisions of this act.

SECTION 15. Provisions Relative to Town Meeting Members. - The town meeting members, as aforesaid, shall be the judges of the election and qualification of their members. The town meeting members as such shall receive no compensation. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member and a town meeting member who removes from the precinct from which he was elected to another precinct may serve only until the next annual town election.

SECTION 16. Referendum. - No article in the warrant shall at any representative town meeting be finally disposed of by a vote to lay upon the table, indefinitely to postpone, or to take no action thereunder. No vote passed at any representative town meeting under any article in the warrant, except a vote to adjourn, or a vote authorizing the expenditure of less than ten thousand dollars or votes appropriating money for the payment of notes or bonds of the town and interest becoming due in the then current financial year, or votes for the temporary borrowing of money in anticipation of revenue, or a vote declared by preamble by a two thirds vote of the town meeting members present and voting thereon to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the town, shall be operative until after the expiration of ten days, exclusive of Sundays and legal holidays, from the date of such vote. If, within said ten days, a petition, signed by not less than five per cent of the registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the registered voters of the town at large, then the selectmen, after the expiration of seven days shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers.

The questions so submitted shall be determined by a vote of the same proportion of voters at large voting thereon as would have been required by law had the question or questions been finally determined at a representative town meeting, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the registered voters shall vote in favor of reversing

such action. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot:--"Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such petition is not filed within said period of ten days, the vote of the representative town meeting shall become operative and effective upon the expiration of said period.

SECTION 17. Powers of Town and its Town Meeting Members. - The town, after the acceptance of this act, shall have the capacity to act through and to be bound by its town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings, shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in town meeting open to all the voters of the town as organized and conducted before the establishment in said town of representative town meeting government.

SECTION 18. Certain Rights not Abridged. - This act shall not abridge the right of the inhabitants of the town to hold general meetings as secured to them by the constitution of this commonwealth; nor shall this act confer upon any representative town meeting in Shrewsbury the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters of the town at large, using the ballot and the check list therefor.

SECTION 19. Submission of Act. - This act shall be submitted for acceptance to the qualified voters of the town of Shrewsbury at the first annual town election after passage of this act, or at a special town election called for the purpose not less than ninety days before the date of said annual election. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the question, which shall be placed upon the ballot to be used at said election:--"Shall an act passed by the General Court in the year nineteen hundred and fifty-three entitled 'An Act to establish in the town of Shrewsbury representative town government by limited town meetings' be accepted by this town?"

SECTION 20. Time of Taking Effect. - So much of this act as authorizes its submission to the registered voters of the town shall take effect upon its passage. Sections two and three shall take effect upon acceptance by a majority of the voters voting thereon, and the remainder shall take effect upon the effective date of the by-laws provided for by section three.

SECTION 21. Resubmission after Rejection. - If this act is rejected when first submitted it shall be again submitted at the next following state election in the year nineteen hundred and fifty-four and if accepted shall take effect as hereinbefore provided.

If this act is rejected for the second time when so submitted it shall be again submitted at the annual town election in the year nineteen hundred and fifty-six and if accepted shall take effect as hereinbefore provided. If this act is again rejected when so submitted for the third time, it shall thereupon become void.

Approved June 29, 1953

Amended by Chapter 5 of 1963 (vacancies)

Chapter 6 of 1963 (moderator)

Amended by Chapter 81 of 1981 (precincts)

APPENDIX B
Chapter 559

**AN ACT ESTABLISHING A SELECTMEN-TOWN MANAGER FORM OF
GOVERNMENT FOR THE TOWN OF SHREWSBURY**

SECTION 1. Board of Selectmen. - At the first town election following the acceptance of this act the registered voters of the town of Shrewsbury shall elect five selectmen of whom two shall serve for terms of three years, two for terms of two years, and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve for terms of three years. When a vacancy occurs in the office of selectmen, the remaining selectmen may at any time prior to the next annual town election appoint a qualified person to serve as selectman until such election, at which election the voters shall elect a selectman to serve for the unexpired portion, if any, of the original term. The selectmen in office at the time of said first election shall continue in office until their successors are elected and qualified.

SECTION 2. Other Elected Officials. - In addition to the selectmen, the registered voters of the town shall continue to elect the following officials in accordance with any applicable statutes, by-laws and votes of the town:-

- (a) A moderator.
- (b) A school committee.
- (c) A town clerk, unless the town shall provide, by by-law, that the town clerk shall be appointed by the board of selectmen.
- (d) A town treasurer, unless the town shall provide, by by-law, that the town treasurer shall be appointed by the board of selectmen.
- (e) A board of library trustees.
- (f) Town meeting members if so provided by any applicable statute.

The term of office of any elective office, board, or committee so continued, under this section, shall not be interrupted. Every other elective office, board or commission shall be terminated as hereinafter provided, any other provision of law to the contrary notwithstanding. The term of office of any person elected to any office, board or commission existing at the time of such acceptance and terminated hereunder shall continue until such first town election and until the appointment and qualification of his successor, if any, and thereafter the said offices, boards and commissions shall be abolished and all powers, duties and obligations conferred or imposed thereon by law, except as provided by this act, shall be conferred and imposed upon the selectmen and exercised by the town manager to the extent hereinafter provided. The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and by-laws and votes of the town, except as otherwise expressly provided herein.

SECTION 3. Appointed Officials. -

- (a) The selectmen shall appoint a town manager as provided in section seven who may thereafter be removed as provided in section nine.

The selectmen shall appoint a town accountant, a board of appeals, a town counsel, appointive members of the retirement board, constables, election officers, registrars of voters other than the town clerk, and a town clerk and town treasurer if so provided as set forth in section two and may, after such notice and hearing as they may deem advisable, remove any person so appointed for cause.

- (c) The moderator shall appoint such boards, committees and officers, including a finance committee and a personnel board, as he may now or hereafter be directed to appoint by any applicable law, by-law or vote of the town.
- (d) The town manager shall appoint, upon merit and fitness alone, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove for cause:-
 - (1) A board of public health, a board of public welfare, a board of light commissioners, a planning board, and a board of assessors as provided in section twelve.
 - (2) All other officers, boards, committees and employees of the town, with the exception of the elected officials specified in section two, and officers and employees of such elected officials.

SECTION 4. Memberships; Terms; Powers; Duties and Responsibilities.

The number of members of boards, commissions, and committees so appointed as provided in the preceding section, the length of the term of each member thereof and of officers so appointed, and the powers, duties and responsibilities of the same shall be as now or hereafter provided by any applicable law, by-law or vote of the town, except as herein otherwise provided. Upon appointment and qualification of the various officials as provided for in section three, the term of office, and all powers and duties of each person theretofore holding each such office shall cease and be terminated.

Officers, boards, commissions and committees appointed by the town manager shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law upon them or upon officers, boards, commissions or committees having corresponding powers and duties, but in the performance thereof they shall be subject to the general supervision of the town manager.

The manager of the electric light department appointed by the town manager shall possess all the powers and rights and shall be subject to all the duties and liabilities specifically conferred or imposed by any applicable provision of law, but in the performance thereof he shall be subject to the direction and control of the board of light commissioners, if any; otherwise to the direction and control of the town manager. Said manager of the electric light department shall not be subject to the provisions of chapter thirty-one of the General Laws and the rules made thereunder.

Amended by Chapter 69, Acts of 1955

SECTION 5. Multiple Offices. - A member of the board of selectmen, the school committee, or the finance committee, shall, during the term for which he was elected or appointed, be ineligible to hold any other elective or appointed town office or position other than town meeting member; provided, however, that a member of said board of selectmen may be appointed to serve as a member of a town building committee. Any person elected or appointed to any other office, board,

commission, or committee under the provisions of this act or of any general or special law, shall be eligible, during his term of office, for election or appointment to any other town office, board, commission or committee, except that the town accountant shall not be eligible to hold the office of town treasurer or town collector.

Subject to the approval of the selectmen the town manager may, but without additional compensation therefor, assume the powers, duties and responsibilities of any office which he is authorized to fill by appointment, such assumption to be evidenced by and effective upon the filing with the town clerk of a written declaration of such assumption signed by the town manager, except that he shall not appoint himself as a member of any board or committee.

Amended by Chapter 368, Acts of 1998

SECTION 6. Investigations and Surveys. - For the purpose of making investigations or surveys, the town manager, with the approval of the selectmen, may expend such sums for the employment of experts, counsel and other assistants, and for other expenses in connection therewith, as the town may appropriate for such purposes.

SECTION 7. Appointment of Town Manager. - The selectmen shall appoint, as soon as practicable after the first town election following acceptance of this act or after the occurrence of any vacancy, for a term of three years, a town manager who will be a person especially fitted by education, training and by previous full time paid experience in municipal government as a town or city manager, assistant manager or administrative assistant, to perform the duties of his office. The town manager shall be appointed without regard to his political beliefs. He need not be a resident of the town or of this commonwealth when appointed, and shall not during the twelve months prior to his appointment have held any elective office in the town of Shrewsbury, but shall be a resident of the town during his term of office. He may be appointed for successive terms of office. Before entering upon the duties of his office the town manager shall be sworn to the faithful and impartial performance thereof by the town clerk, or by a justice of the peace. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the selectmen, the premium for said bond to be paid by the town.

Amended by Chapter 4, Acts of 1996

SECTION 8. Acting Manager. - The town manager may designate, by letter filed with the town clerk, a qualified officer of the town to perform his duties during his temporary absence or disability. Pending the appointment of a town manager or the filling of any vacancy or the failure of the town manager to designate a temporary manager, or during the suspension of the town manager, the selectmen may appoint a suitable person to perform the duties of the office.

SECTION 9. Removal of Manager. - The selectmen, by a majority vote of the full membership of the board, may remove the town manager. At least thirty days before such proposed removal shall become effective, the selectmen shall file a preliminary resolution with the town clerk setting forth in detail the specific reasons for his proposed removal, a copy of which resolution shall be sent by registered mail to the town manager. The manager may reply in writing to the resolution and may request a public hearing. If the manager so requests, the board of selectmen shall hold a public hearing not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if any, otherwise at the expiration of thirty days following the filing of the preliminary resolution, and after full consideration, the selectmen, by a majority vote of the full

membership of the board, may adopt a final resolution of removal. In the preliminary resolution, the selectmen may suspend the manager from duty, but in any case his salary shall continue to be paid until the expiration of one month after the date of the final resolution of removal.

SECTION 10. Compensation of Manager. - The town manager shall receive such compensation for his services as the selectmen shall determine, but it shall not exceed the amount appropriated therefor by the town.

SECTION 11. Powers and Duties of Manager. - In addition to other powers and duties expressly provided for in this act, the town manager shall have the following powers and duties:-

- (a) The town manager shall supervise and direct and shall be responsible for the efficient administration of all offices, boards and committees appointed by him and their respective departments. He shall, in addition, supervise and direct and shall be responsible for the efficient administration of any agency of the town not subject to his appointment or control, but only at such time and to such extent and for such period as the elected officials having control of such agency or activity may, with the consent of the selectmen, determine.
- (b) The town manager, in accordance with the provisions of this act and except as otherwise expressly prohibited by the General Laws, may, with the approval of the selectmen reorganize, consolidate or abolish departments, commissions, boards or offices under his direction and supervision, in whole or in part, may establish such new departments, commissions, boards or offices as he deems necessary, or re-establish any departments, commissions, boards or offices previously abolished, and, in so doing, may transfer the duties and powers, and, so far as possible in accordance with the vote of the town, the appropriation of one department, commission, board or office to another; provided, however, that no action taken under this act shall impair the civil service status of any employee nor shall it provide civil service status for the head of any department, commission, board or office.

Amended by Chapter 69, Acts of 1955

Amended by Chapter 367, Acts of 1970

- (c) The town manager shall fix the compensation of all town officers and employees appointed by him, subject to any applicable provisions of chapter thirty-one or section one hundred and eight A of chapter forty-one of the General Laws.
- (d) The town manager shall keep full and complete records of his office and shall render as often as may be required by the selectmen a full report of all operations during the period reported on.
- (e) The town manager shall keep the selectmen fully advised as to the needs of the town, and shall recommend to the selectmen for adoption such measures requiring action by them or by the town as he may deem necessary or expedient.
- (f) The town manager shall have jurisdiction over the rental and use of all town property, except schools. He shall be responsible for the maintenance and repair of all town property including school buildings and grounds. Except as otherwise voted by the town, he shall be responsible for the preparation of plans and the supervision of work on all

construction, reconstruction, alterations, improvements and other undertakings authorized by the town, subject, however, to the approval of the school committee with respect to plans for the construction or improvement of school buildings or property.

- (g) The town manager shall administer, either directly or through a person or persons appointed by him in accordance with this act, all provisions of general and special laws applicable to said town, all by-laws and all regulations established by the selectmen.
- (h) The town manager shall, with the approval of the selectmen, have authority to prosecute, defend or compromise all litigation to which the town is a party.
- (i) The town manager shall perform such other duties, consistent with his office, as may be required of him by the by-laws or vote of the town or by the vote of the selectmen.
- (j) The town manager shall have access to all town books and papers for information necessary for the proper performance of his duties, and may, without notice, cause the affairs of any department or activity under his control, or the conduct of any officer or employee thereof to be examined.
- (k) The town manager shall purchase all supplies, materials and equipment, and shall award all contracts for all departments and activities of the town under his supervision; and he shall make all purchases for departments or activities not under his supervision but only upon and in accordance with a requisition duly signed by the head of any such department.

SECTION 12. Appointment of Assessors. - The town manager shall appoint a principal assessor, who shall devote his full time and attention to the duties of his office and shall serve as chairman of the board, and two additional assessors.

SECTION 13. Approval of Warrants. - The town manager shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared by the town accountant in accordance with applicable provisions of law shall be submitted to the town manager. These warrants shall be approved and signed by the town manager, and when approved by the selectmen, shall be sufficient authority to authorize payment by the town treasurer, but the selectmen alone may approve all warrants in the event of the prolonged absence of the town manager, or a vacancy in the office of the town manager.

SECTION 14. Investigation of Claims. - Whenever any pay roll, bill or other claim against the town is presented to the town manager, he shall, if the same seems to him to be of doubtful validity, excessive in amount or otherwise contrary to the interests of the town, refer it to the selectmen, who shall immediately investigate the facts and determine what, if any, payment should be made. Pending such investigation and determination by the selectmen, payment shall be withheld.

SECTION 15. Certain Officers not to make Contracts with the Town.
- It shall be unlawful for any selectman, the town manager, or any other elective or appointive official of the town other than a town meeting member, directly or indirectly, to make a contract with the town, or to receive any commissions, discount, bonus, gift, contribution or reward from, or any share

in the profits of, any person or corporation making or performing such contract, unless the official concerned, immediately upon learning of the existence of such contract, or that such a contract is proposed, shall notify the selectmen and the town manager, by registered mail, of the contract and of the nature of his interest therein, and shall abstain from doing any official act on behalf of the town in reference thereto. In case such interest exists on the part of an officer whose duty it is to make such a contract on behalf of the town, the contract may be made by another officer of the town duly authorized thereto by vote of the selectmen. Violation of any provision of this section shall render the contract in respect to which such violation occurs voidable at the option of the town. Any person violating any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or both.

Amended by Chap. 124, Acts of 1959

SECTION 16. Estimate of Expenditures. - All boards, officers and committees of the town shall annually, at the request of the town manager, submit to him in writing a detailed estimate of the appropriations required for the efficient and proper conduct of their respective departments and offices during the next fiscal year. Not less than 90 days prior to the date of the start of the Annual Town Meeting, the town manager shall submit to each member of the finance committee and of the board of selectmen, a copy of his annual budget, which shall contain a careful, detailed estimate of the probable expenditure of the town for the ensuing fiscal year, including a statement of the amounts required to meet the interest and maturing bonds and notes or other indebtedness of the town, and showing specifically the amount necessary to be provided for each office, department and activity, together with a statement of the expenditures for the same purposes in the two preceding years and an estimate of expenditures for the current year. He shall also submit a statement showing all revenues received by the town in the two preceding years, together with an estimate of the receipts of the current year and an estimate of the amount of income from all sources of revenue exclusive of taxes upon property in the ensuing year. He shall also report to said committee and to the selectmen the probable amount required to be raised by taxation to defray all of the proposed expenditures of the town, together with an estimate of the tax rate necessary therefor.

Amended by Chap. 326, Acts of 1976

SECTION 17. By-laws, Rules, etc.- All laws, by-laws, votes, rules and regulations in force in the town of Shrewsbury on the effective date of this act, or any portion thereof, not inconsistent with its provisions, whether enacted by authority of the town or any other authority, shall continue in full force and effect until otherwise provided by law, by-law or vote; all other laws, by-laws, votes, rules and regulations, so far as they refer to the town of Shrewsbury, are hereby repealed and annulled, but such repeal shall not revive any pre-existing enactment.

SECTION 18. Contracts. - No contract existing and no action at law or suit in equity, or other proceeding pending at the time this act is accepted, or at the time of revocation of such acceptance, shall be affected by such acceptance or revocation.

SECTION 19. Submission of Act and Time of Taking Effect. - This act shall be submitted for acceptance to the qualified voters of the town of Shrewsbury at the first annual town election after passage of this act, or at a special town election called for the purpose not less than ninety days before the date of said annual election. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question which shall be placed upon the ballot to be used at said election: - "Shall an act passed by

the General Court in the year nineteen hundred and fifty-three, entitled 'An Act establishing a selectmen-town manager form of government for the town of Shrewsbury' be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, said act shall take effect immediately for the purpose of the next following annual town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers first to be elected under this act.

If this act is rejected when first submitted it shall be again submitted at the next following state election in the year nineteen hundred and fifty-four and if accepted shall take effect as hereinbefore provided. If this act is rejected for the second time it shall be again submitted at the annual town election in the year nineteen hundred and fifty-six and if accepted shall take effect as hereinbefore provided. If this act is again rejected when so submitted for the third time, it shall thereupon become void.

SECTION 20. Revocation of Acceptance. - At any time after the expiration of three years from the date of acceptance of this act, and not less than ninety days before the date of an annual meeting, a petition signed by not less than ten per cent of the registered voters of the town may be filed with the selectmen, requesting that the question of revoking the acceptance of this act be submitted to the voters. No such petition shall be valid unless notice thereof shall be published by the selectmen for at least two consecutive weeks in a newspaper having general circulation in the town, the last publication to be at least thirty days prior to said annual meeting. The selectmen shall thereupon direct the town clerk to cause the said question to be printed on the official ballot to be used at the next annual election in the following form: - "Shall the acceptance by the town of Shrewsbury of an act passed by the General Court in the year nineteen hundred and fifty-three, entitled 'An act establishing the selectmen-town manager form of government for the town of Shrewsbury' be revoked?" If such revocation is favored by a majority of the voters voting thereon, this act shall cease to be operative on and after the annual meeting next following such vote. All general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by acceptance of this act, shall be revived by such revocation and shall continue to be in full force and effect. By-laws, votes, rules and regulations in force when such revocation takes effect, so far as they are consistent with the general laws respecting town administration and town officers and with special laws relating to said town shall not be affected thereby, but any other by-laws, votes, rules and regulations inconsistent with

such general or special laws shall be annulled. If such revocation is not favored by a majority of the voters voting thereon, no further petition therefor shall be filed under this section oftener than once in every three years thereafter.

Approved June 29, 1953

Amended by Chapter 69 of 1955 (Light Manager/Town Manager)
 Chapter 124 of 1959 (Town Meeting Members Contract with Town)
 Chapter 367 of 1970 (Civil Service, Department Heads)
 Chapter 326 of 1976 (Estimate of Expenditures)

APPENDIX C

General Laws and Special Acts Accepted by the Town of Shrewsbury

<u>M.G.L.</u> <u>State Acts</u>				
<u>Year</u>	<u>Chapter</u>		<u>Title</u>	<u>Acceptance</u>
1885	309		Picnic Groves	Mar. 1,1886
Amends MGL 140 S188-190				
P.S	51		Betterment and other Assessments	Sep. 17,1886
P.S.	27	Sec.74-77	Election of Road Commissioners (Revoked Mar.1,1897)	Mar. 4,1889
1888	431		School Superintendents	Mar. 3,1890
P.S.	82	Sec.17	Perpetual Care of Cemetery	Mar. 4,1895
1884	186	Sec. 1	Lots and Use of Funds	
1895	374		Election of Highway Surveyor(s) (Revoked Mar.6, 1899)	Mar. 1,1897
1893	417		Australian System of Elections and term of office for Selectmen and Assessors and Overseers of the Poor	Mar. 7,1898
1888	331		Regulates Catching Pickerel	May 7,1898
P.S.	50	Sec.20-24	Sidewalks	Mar. 5,1900
P.S.	36	Sec.29	Impounding of Stray Beasts	Nov. 5,1901
1903	105		Water Supply Authorization	Mar. 7,1904
1908	209		Forest Fire Protection	Mar. 1,1909
1911	146		Art Commission	Mar. 4,1912
1913	807		Workmen's Compensation	Mar. 2,1914

M.G.L.

State Acts

<u>Year</u>	<u>Chapter</u>	<u>Title</u>	<u>Acceptance</u>
1909	423	Sale of Ice Cream on Lord's Day	Mar. 2,1914
1914	790	Party Enrollment at Primary Election	Nov. 3,1914
1912 Amended by Ch.334 of 1912	104 Sec.1	Construction of Private Buildings	Feb. 1,1915
1914	361	Water Loan	Feb. 1,1915
Rev Laws 28	Sec.1-14	Public Parks	Aug. 7,1915
1908	452	Street Watering & Oiling	Feb. 7,1916
1916 Now MGL	153 94 Sec.120	Licensing Slaughter Houses	Feb. 5,1917
1916	293 Sec.1	Jitney Act	Feb. 5,1917
1916	242 Sec.3	Certain License Fees	Feb. 5,1917
1917	108 (Special)	Water Loan	May 25,1917
1912	347	Reserve Fund	Feb. 3,1919
1913	645	Reserve Fund Amendment	Feb. 3,1919
MGL Amended by Ch.311 of 1919	71 Sec.21	Continuation Schools	Nov. 4,1919
MGL	54	Voting Precincts	Apr. 12,1921
MGL	143 Sec.3	Building Laws	Dec. 20,1921
1920	591 Sec.27,28,29	Fire Department	Feb. 14,1921
MGL	41 Sec.73	Selectmen, Board of Survey	Feb. 13,1922
1923	246	Sale of Water by Worcester to Shrewsbury	Oct. 29,1923
MGL Amended by Ch.391 of 1923	40 Sec.42,A-F	Water Rates-Lien on Property	Nov.18,1924

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	41 Sec.70,71,72	Planning Board	Feb. 9,1925
MGL	139 Sec.1,2,3	Burned Buildings	Dec. 1,1926
MGL	40 Sec.7 85 Sec.6	Snow Removal (By-Law repealed)	Nov. 29,1927
MGL	31 Sec.48	Civil Service for Police	Nov. 29,1927
MGL	31 Sec.49	Civil Service for Chief of Police	Feb. 6,1928
MGL	83 Sec.25-28,inc	Sidewalk Assessments	Jul. 17,1929
MGL	136 Sec.21-25,inc Amended by Ch.406 of 1928	Sunday Sports	Feb. 9,1931
MGL	147 Sec.13-A	Creation of Reserve Police Force	Aug. 1,1932
MGL	147 Sec.32-47,inc	Licensing of Boxing Matches	Aug. 1,1932
1938	4	Soldier's Memorial Commission	Feb. 14,1938
MGL	32 Sec.26-31H,inc.	Contributory Retirement System Selectmen	May 21,1940
MGL	54 Amended by Ch.77 Sec.1 of 1937	Absent Voting	Feb. 9,1942
MGL	85 Sec.1-3,inc. Amended by Ch.710 of 1941	Registration of Bicycles	Feb. 9,1942
MGL	44	Accounting System	Dec. 18,1942
MGL	41	Town Accountant	Feb. 8,1943
MGL	41 Sec.38A Amended by Ch.211 of 1941	Tax Collector	Feb. 14,1944
MGL	40 Sec.6B	Uniforms for Police & Fire Dept.	Feb. 14,1944

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
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MGL	40	Sec.5B	Stabilization Fund	Feb. 11,1946
Amended by Ch.124 of 1945				
MGL	41	Sec.111B	Sick Leave	Feb. 11,1946
Amended by Ch.156 of 1945				
1945	723		Veterans Assistance Bureau	Feb. 11, 1946
MGL	136	Sec.2	Bowling on Lord's Day	Nov. 25,1946
Amended by Ch.207 of 1946				
MGL	71	Sec.40	Equal Pay for Men & Women Teachers	Mar. 3, 1947
MGL	41	Sec.110A	Saturday closing of town offices	Dec. 8,1947
Amended by Ch.265 of 1947				
1948	588		Increase in Pension Account	Mar. 28,1949
1950	820		Increase in Pensions Account	Mar. 26,1951
MGL	44	Sec.65	Vacation Pay in Advance	Mar .26,1951
1951	781		Increase in Pension Amounts	Mar. 17,1952
1952	624		Increase in Pension Amounts	Nov. 17,1952
MGL	31	Sec.48	Civil Service for Fire Dept.	Mar. 2,1953
MGL	31		Civil Service for Official & Labor Service	Mar. 2,1953
1953	434		Rent Control	July 27,1953
1953	553		Limited Town Meeting	Nov. 3, 1953
1953	559		Selectmen-Town Manager	Nov. 3, 1953
MGL	147	Sec.16C	Five Day Week for Police	Mar. 15,1954
MGL	41	Sec.81A	Planning Board established	Apr. 5,1954

M.G.L.

State Acts

<u>Year</u>	<u>Chapter</u>	<u>Title</u>	<u>Acceptance</u>
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1953	559	Sec.4	Light Manager Exempt from Civil Service	Mar. 7,1955
Amended by Ch.69 of 1955				
1954	502		A System of Sewerage & Sewerage Disposal	Apr. 4,1955
Amended by Ch.135 of 1995				
MGL	80		Betterment Act	Mar. 28,1955
MGL	40	Sec.42A-42E	Liens for Water Rates & Charges	Apr. 4,1955
Amended by Ch.487 of 1954				
1954	502		Sewer Act	Apr. 4,1955
1955	670		Increase in Pensions	Jan. 9,1956
MGL	40	Sec.42G,H&I	Water Assessments	Apr. 2,1956
Amended by Ch.332 of 1955				
MGL	41	Sec.100A	Operation of Town Motor Vehicles	Apr. 8,1957
MGL	32B		Insurance for Town Employees	Mar. 4,1957
MGL	40	Sec.8A	Industrial Development Commission	Nov. 18,1957
1958	215		Sewer Assessment	June 23,1958
MGL	33	Sec.59	Employees on Reserve Duty in Armed Forces	June 23,1958
MGL	40	Sec.6C	Plowing of Snow on Private Ways	Mar. 2,1959
1953	559	Sec.15	Town Meeting Members May Contract with Town	Nov. 9,1959
Amended by Ch.124 of 1959				
1960	329		Call Fireman--not subject to Civil Service	Sept.19,1960
MGL	40	Sec.8C	Conservation Commission	Apr. 10,1961

M.G.L.
State Acts

<u>Year</u>	<u>Chapter</u>	<u>Title</u>	<u>Acceptance</u>	
MGL	32	Sec.99	Advance payments to employees	Apr. 23,1962

who are retiring

MGL	41	Sec.19B	Tenure for Town Clerk	Mar. 4,1963
1962	608		Swimming Pool - Dean Park	Mar. 25,1963
1953 Amended by Ch.5 of 1963	553	Sec.11	Vacancies in Town Meeting Membership	Mar. 25,1963
1953 Amended by Ch.6 of 1963	553	Sec.12	3-year term for Moderator	Mar. 25,1963
1963	311		Defer payment without interest on certain assessments for laying of water pipes	Dec. 2,1963
1963	582		Certain Betterment Assessments (Main Sewer - Main Street)	Dec. 2,1963
1963	478		Increases of pensions payable to certain former public employees	Mar. 22,1965
1965	90	Sec.20C	Parking Regulations	Nov. 22,1965
1966 Amends Ch.4 Sec.1 of 1938	57		Soldiers' Memorial Commission	Nov. 21,1966
1953 Amended by Ch.766 of 1967	553	Sec. 7	Town Meeting Members - Removal of Limitations	Nov. 21,1966
MGL	31	Sec.19C	Allowing appointment of non-resident applicants to Fire Dept.	Mar. 17,1969
1971	48	Sec.59A	Mutual aid to other towns and cities by Fire Department - Board of Selectmen	Mar. 1,1971
1971	638		Street Signs on Private Ways	Aug. 12,1971
1971	999		Mutual Sewer Agreement (Hillside Farm - Lake Street)	Nov. 3,1971

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL Amended by Ch.486 of 1971	147 Sec.52-55,inc. 271 Sec.6B & 22B	Licenses shall be granted in this town for the operation, holding or conducting of a game commonly called Beano	Mar. 6,1972
MGL	48 Sec.58D	Forty-two hour work week for members of fire departments (on ballot)	Mar. 5,1973
MGL	44 Sec.53C	Receipt and payment of monies for off-duty work details by members of Police Department	Mar. 26,1973
MGL Amended by Ch.808 of 1975	40A Sec.8	Limits consideration of repetitive zoning changes	Mar. 26,1973
MGL Amended by Ch.808 of 1975	40A Sec.20	Limits consideration of repetitive applications for variances and special permits to the Board of Appeals	Mar. 26,1973
MGL	40 Sec.8G	Allows agreements between towns for Police Department mutual aid programs	Mar. 26,1973
MGL	48 Sec.36A	Promotion of call firefighters to regular force	May 21,1973
1973	138 Sec.33A	Extended liquor hours Accepted by Board of Selectmen	Nov. 19,1973
1974	164A	New England Power Pool	Feb. 4,1974
1974	32B	Group insurance payments for retired employees (on ballot)	May 6,1974
MGL Amended by Ch.486 of 1971	147 Sec.52-55,inc. 271 Sec.6B&22B	Licenses to play beano (State Law required question to appear on 1975 ballot.)	May 5,1975

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	32B Sec.8A	Group insurance dividend refund (on ballot)	May 5,1975
1975	40 Sec.6J	Work clothes, purchase	May 19,1975
1975	40 Sec.6L	Work clothes, rent	May 19,1975
1975	775	Town authorized to become member of Mass. Municipal Wholesale Electric Co.	Jan. 6,1976
MGL Amended by Ch.105 of 1975	32B Sec.8A	Experience Refund from Blue Cross	May 14,1976
MGL	41 Sec.100B	Indemnify police officers and firefighters	May 17,1976
MGL Amended by Ch.125 of 1976	40 Sec.5B	Appropriation from Stabilization Fund	May 24,1976
MGL Amended by Ch.161 of 1976	31	Town Accountant exempt from Civil Service	June 8,1976
1953 Amended by Ch.326 of 1976	559 Sec.16	Submitting Annual Budget	Aug. 27,1976
MGL Amended by Ch.77 of 1977	35 Sec.19C & 41 Sec.41C	Credit Union - deductions	Mar. 28,1977
1977	275	Refund of money for burial rights	June 10,1977
MGL	32B Sec.16	Fallon Health Plan for town employees (Selectmen voted to accept)	July 11,1977
MGL Amended by Ch.508 of 1977	51 Sec.29	Exempts Town from registration session	Sept. 9,1977

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	32B	Purchase additional group life and group accidental death insurance (on ballot)	May 1,1978
MGL Amended by Ch.808 of 1975	40&40A	Zoning	May 22,1978
MGL Amended by Ch.418 of 1978	31	Exempts Assistant Supt. of Public Buildings and Assistant Light Dept. Manager from civil service law	May 22,1978
MGL	44 Sec.53D	Revolving Fund Parks and Recreation	Apr.17,1979
1979 May23,1979	412	Westboro Treatment Plant Board (30 yrs.)	
MGL	258 Sec.13	Indemnification of municipal officers (on ballot)	May 5,1980
MGL	148 Sec.26C	Heat Detectors	May28,1980
1953 Amended by Ch.81 of 1981	553 Sec.3&7	Act providing number of town meeting members in each precinct to be related to number of residents in each precinct.	Jan. 19,1981
MGL Amended by Ch.199 of 1981	31	Exempts supervisor of cafeterias in Public Schools from Civil Service Law and Rules	Jan. 19,1981
MGL	90 Sec.20A ½	Parking Clerk - establish clerk and fines	Sept.28,1981
MGL	138 Sec.12B	Nude dancing	Mar.29,1982
MGL Amended by Ch.389 of 1982	31	Exempts School Dept. Business Mgr. and Supervisor of Attendance and Transportation from Civil Service Law and Rules	May 24,1982

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	32 Sec.20A	Retirement board indemnification	May 16,1983
1984	146	Transfer Land-Newton Pond Conservation/Mastromatteo	Feb. 13,1984
1954 Amends MGL 121 thru 26VV inc.	667 Sec.26NN	Elderly Housing, Provide Funds for	May 23,1984
MGL	60A Sec.1	P.O.W. Excise Exemption	May23,1984
MGL	40 Sec.21	Handicapped Parking	May 23,1984
MGL Amended by Ch.58 of 1985	140 Sec.139,147 &161	Licensing and Keeping of Dogs in Shrewsbury	May 23,1984
MGL	59 Sec.5 (17C)	Real Estate Abatements Certain Persons: surviving spouse; minor w/deceased parent, over 70 years	Mar. 25,1985
MGL	59 Sec.5 (41B)	Real Estate Abatement persons over 70 years	Mar. 25,1985
1985	188 Sec.13	Professional Development Grant Program (Education)	Feb. 3,1986
MGL	64G Sec. 3A	Room Occupancy Excise	May 21,1986
MGL	148 Sec.26G	Automatic sprinkler protection on certain buildings	May 21,1986
MGL	148 Sec.38A	Established fee for removal of Underground Storage Tanks	May 21,1986
MGL	105	Pay bills for packaging and disposing of chemicals	Feb. 23,1987
MGL	71 Sec.40	Teachers Salaries-Minimum Rate	May 18,1988
MGL 18,1988	32 Sec.90A	Increases the accidental disability allowances for certain retirees	May

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	32 Sec.20 (4)(d1/2)	Increases the compensation of the Town Acct. for serving as a member of the retirement board.	May 18,1988
MGL	59 Sec.5 (41C)	Increases income and estate value limits for persons over 70 yrs. of age	May 18,1988
MGL	59 Sec.5 (17D)	Excludes the total value of the domicile when determining the estate for those who are eligible for real estate tax exemptions	May 18,1988
MGL Amended by Ch.283 of 1988	31	Exempts the Positions of Manager of Cable Television, Manager of Electric Operations, Manager of Administration and Finance, and Manager of Engineering	May 18,1988
MGL	32 Sec.22D	Places the Retirement System on a Funding Cycle	May 15,1989
1988	245	This increases the right of the Planning Board to default sub-division bonds up to \$100,000 to complete the work on sub-division roads.	May 17,1989
1989 Amends MGL Ch.59 Sec.2A(a)	653 Sec.40	Authorizing Taxing New Construction up to June 30	May 23,1990
1990	291	Enhanced 911	May 22,1991
1988	245	Increase funds expended by Planning Board	May 22,1991
MGL	59 Sec. 57C	Quarterly tax bills	May 22,1991
MGL	40 Sec. 8J	Establish a Commission on Disability	May 28,1991
MGL (revoked May 23, 2001)	148 Sec. 26I	Automatic Sprinklers	May 28,1991

M.G.L.
State Acts

Year	Chapter	Title	Acceptance
MGL	41 Sec. 41B	Direct bank deposits of town employees salaries	Nov. 7,1991
MGL	32 Sec. 90G ³ / ₄	Employees Age Seventy or over, Continuation of Retirement Benefits	Nov. 7,1991
MGL	32B Sec. 9D	Health Insurance Premiums for Surviving Spouse of Employee or Retired Employee	May 16,1994
MGL	71 Sec. 83	Early Retirement Incentive Program - School Department	May 16,1994
MGL	138 Sec. 12	Sale of Liqueurs and Cordials by Common Victuallers who hold license to sell wines and malt beverages	Oct 25,1994
MGL	41 Sec. 108L	Additional Compensation to Members of Police Department Who Obtain Certain College Degrees	May 15,1995
MGL	60 Sec. 3C	Scholarship Fund	May 17,1995
MGL Amended by Ch.412 of 1996	31	Exempts the positions of Foreman and General Foreman in the Highway, Sewer and Water and Park and Cemetery Departments	May 22,1996
1996	71	Veteran Buy Back of Service Time toward Retirement Benefits	May 21,1997
MGL	32 Sec. 103	Cost of Living Adjustments (COLA) for Retirees	May 18,1998
1998	194 Sec. 288	Pension Allowance Adjustment	May 17,1999

M.G.L.
State Acts

Year	Chapter		Title	Acceptance
1999	59	Sec. 2D	Pro Rata Tax on Improved Real Property	Nov.16,1999
1999	127	Sec. 51	Cost of Living Adjustments (COLA) for Retirees	Feb. 16,2000
1999	127	Sec. 59 (Amended General Laws Ch. 59)	Senior Tax Work Off Program	Feb. 16,2000
MGL	31	Sec. 58A (Ch. 242 of the Acts of 2000)	Maximum Age for eligibility for appointment to position of Firefighter or Police Officer	May 23,2001
MGL	148	Sec. 26I	Automatic Sprinklers	May 23,2001
MGL	32B	Sec. 9I	Insurance Premiums by employees on Military Leave of Absence	Feb. 11,2002